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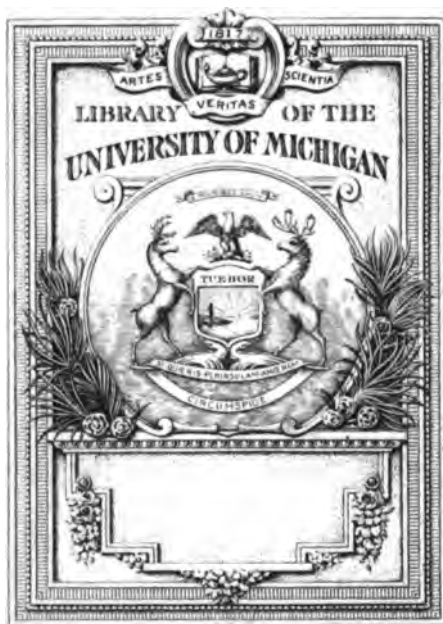
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**JOURNAL**

**OF THE**

**S E N A T E**

**OF THE**

**STATE OF NEW YORK:**

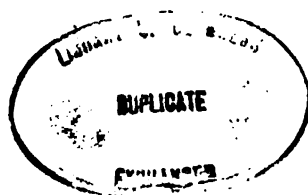
**AT THEIR**

**NINETY-FIRST SESSION,**

**BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE  
SEVENTH DAY OF JANUARY, 1868.**

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**ALBANY :**  
**C. VAN BENTHUYSEN & SONS, PRINTERS.**  
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# JOURNAL OF THE SENATE.

## STATE OF NEW YORK:

### SENATE CHAMBER, IN THE CITY OF ALBANY.

TUESDAY, JANUARY 7, 1868.

Pursuant to the sixth section of the tenth article of the Constitution of the State of New York, designating the first Tuesday in January in each year for the time of the meeting of the Legislature, the Hon. Stewart L. Woodford, Lieutenant-Governor, and the following Senators from the several districts of the State, appeared in the Senate, to wit:

District Number One .....	Lewis A. Edwards.
District Number Two .....	James F. Pierce.
District Number Three .....	Henry C. Murphy.
District Number Four .....	William M. Tweed.
District Number Five .....	Michael Norton.
District Number Six .....	Thomas J. Creamer.
District Number Seven .....	John J. Bradley.
District Number Eight .....	Henry W. Genet.
District Number Nine .....	William Cauldwell.
District Number Ten .....	William M. Graham.
District Number Eleven .....	Abiah W. Palmer.
District Number Twelve .....	Francis W. Thayer.
District Number Thirteen .....	A. Bleecker Banks.
District Number Fourteen .....	George Beach.
District Number Fifteen .....	Charles Stanford.
District Number Sixteen .....	Matthew Hale.
District Number Seventeen .....	Abraham X. Parker.
District Number Eighteen .....	John O'Donnell.
District Number Nineteen .....	Samuel Campbell.
District Number Twenty .....	John B. Van Petten.
District Number Twenty-one .....	Abner C. Mattoon.
District Number Twenty-two .....	George N. Kennedy.
District Number Twenty-three .....	John F. Hubbard, jr.
District Number Twenty-four .....	Orlow W. Chapman.
District Number Twenty-five .....	Stephen K. Williams.
District Number Twenty-six .....	Charles J. Folger.
District Number Twenty-seven .....	John J. Nicks.
District Number Twenty-eight .....	Lewis H. Morgan.
District Number Twenty-nine .....	Richard Crowley.
District Number Thirty .....	Wolcott J. Humphrey.
District Number Thirty-one .....	Asher P. Nichols.
District Number Thirty-two .....	Lorenzo Morris.

Prayer was offered by Rev. Dr. Wyckoff.

The Senators having taken and subscribed the constitutional oath of office, the President declared the Senate organized and ready to proceed to business.

The President then rose and addressed the Senate as follows

*Senators :* It becomes my pleasant duty at the opening of our session to bid you welcome.

We stand at the threshold of duties, upon the just discharge of which the welfare alike of our State and Nation largely depends. The harvests of last autumn were abundant, although no pestilence visited our land and no organized armed resistance to the law within our borders, still we must all realize that general anxiety and distrust pervade commercial circles, paralyzing business activity in industrial enterprise, and that all our people await the future with solicitude.

It is your privilege as well as your duty to do much towards allaying this alarm. You can labor for the restoration of an absolute balance in the public expenditures, an economy which shall be the next tax levy, and thus be appreciated by the people.

You can largely insist upon a rigid accountability of all public servants. You can arrest hasty legislation; prevent the enactment of needless and cumbersome laws; initiate wise and considerate reforms and resolutely maintain the existing safeguards of public order and personal security.

I know that these are threadbare axioms and seem but idle platitudes. And yet unless we make them actual verities in our official action, we shall not only fail in our duty, but the State will suffer hurt.

Not only are our people apprehensive in regard to our State inaction, but our legislation, but there is much in our National affairs to attract your patriotic solicitude.

Partial disorder and an unnatural, deplorable but still necessary subordination of the civil to the military law prevail in the States late in rebellion. The restoration of those States to their just and Constitutional relations with the Federal Government, and to their normal condition of self-rule, is delayed by an unfortunate collision between the President and Congress. As Senators of New York, you may be called upon to act directly upon these questions; and yet, should circumstances arise requiring action, we may remember that the voice of this State are always powerful in the councils of our Nation.

May our old State plead moderation, mercy and reconciliation. In his loving providence gave us the victory and stayed from our altars and hearthstones the red tide of battle. May we in our hour of triumph be generous and forgiving to our vanquished foemen, remembering that even for the crime of rebellion large excuse is due, because of the early education and political training of Southern men and because of our own long continued complicity at the North in the sin of Slavery. But while we are thus forgiving, and seek to bury from our sight the sad relics of our unhappy strife, let us also remember to be resolutely true in the hour of the Nation's triumph to all who are true to our flag in the time of our Nation's danger. Let us see to it, the repentant foeman obtains no right, as an act of mercy, which is at the same time firmly assured to the constant loyalist, as an act of justice. Thus, upon the sure foundations of mercy, loyalty and justice shall we rebuild the shattered temple of our Union, making it stronger and fairer for the days to come.

And now, invoking upon all our deliberations the spirit of unity, trusting that as our session passes all our hearts may but become more and more closely knit together in friendship, I bid you again a cordial welcome.



Mr. Kennedy offered the following resolution :

*Resolved*, That James Terwilliger be and he is hereby appointed Clerk of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Williams offered the following resolution:

*Resolved*, That John H. Kemper be and he is hereby appointed Sergeant-at-Arms of the Senate.

Mr. Beach moved to amend by striking out the name of "John H. Kemper" and inserting in lieu thereof "Abram J. Meyer."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Patten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell offered the following resolution:

*Resolved*, That Charles V. Schram be and he is hereby appointed Doorkeeper of the Senate.

The President put the question whether the Senate would agree to said resolution of Mr. Folger, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

*Resolved*, That Nathaniel Saxton be and he is hereby appointed Assistant Doorkeeper of the Senate.

Mr. Murphy moved to amend said resolution by striking out all after the word "*Resolved*," and inserting as follows:

"That a committee be appointed by the President to consider and report to this body what further officers of this body are necessary, and the amount of compensation to be paid each in lieu of all services."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	O'Donnell	
Beach	Edwards	Hubbard	Nichols	Pierce	
Bradley	Genet	Morris	Norton	Tweed	
Cauldwell					16

FOR THE NEGATIVE.

Campbell	Hale	Mattoon	Palmer	Thayer	
Chapman	Humphrey	Morgan	Parker	Van Patten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger					16

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Humphrey offered the following resolution:

*Resolved*, That David L. Shields be and he is hereby appointed Assistant Doorkeeper of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Thayer offered the following resolution:

*Resolved*, That Elisha T. Burdick be and he is hereby appointed Assistant Doorkeeper of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten offered the following resolution:

*Resolved*, That Wm. S. Van Valkenburgh be and he is hereby appointed Assistant Doorkeeper of the Senate.

Mr. Crowley moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. Palmer offered the following resolution:

*Resolved*, That Geo. H. Knapp be and he is hereby appointed Assistant Sergeant-at-Arms of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following concurrent resolution:

*Resolved*, (if the Assembly concur,) That a committee of three on the part of the Senate, and five on the part of the Assembly, be appointed by the Chair of those bodies respectively, to consider and report what officers of the Senate and Assembly are necessary, and the amount of compensation to be paid to each for his services.

*Ordered*, That said resolution be laid upon the table.

Mr. Folger offered the following resolution:

*Resolved*, That the rules of the last Senate be adopted for the government of this Senate until otherwise ordered, and that a committee of three be appointed to revise the rules.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Folger, Williams and Murphy.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the Senate will meet daily at 11 o'clock A. M., until otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Williams offered the following resolution:

*Resolved*, That a committee of two be appointed by the President to wait upon the Honorable the Assembly, and inform that Body the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Williams and Tweed.

Mr. Nicks offered the following resolution:

*Resolved*, That until otherwise ordered, the Senate will hold an executive session on Wednesday of each week, at 12 o'clock M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley offered the following resolution:

*Resolved*, That a committee of two be appointed by the President to wait upon the Governor and inform His Excellency that the Senate is organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Crowley and Creamer.

Mr. Crowley, from the committee appointed to wait upon His Excellency the Governor and inform him that the Senate was organized and ready to proceed to business, reported that they had performed that duty, and that His Excellency informed them that he would communicate with the Senate by message.

A message from His Excellency the Governor was received and read by the Clerk, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, January 7, 1868. }

*To the Legislature:*

Through the favor of Almighty God, the year which has just drawn to a close has been crowned with the blessings of peace and prosperity.

The great and diversified interests of our State impose duties of the utmost delicacy and responsibility upon the legislative department of the Government. The condition of our finances naturally presents itself as a leading subject of consideration, intimately connected as it is with our general affairs, and engrossing, as it should, a large measure of public attention.

The report of the Comptroller, which I commend to careful attention as an interesting and comprehensive document, shows the debt of the State, September 30th, 1867, after deducting the balance of sinking funds unapplied, to be forty-four millions, one hundred and fourteen thousand, five hundred and ninety-two dollars and thirty-five cents.

There is a natural and just solicitude as to the ability of the State to sustain the burdens resting upon it, and in regard to the continued ease with which taxation has so far been borne. It is apprehended in some quarters that there are financial trials impending which will prove far more severe than any in the past. It seems to me that there is only required a prudent economy in all matters pertaining to the administration of Government, and a thorough revision of the whole tax and assessment system to vindicate a reasonable expectation of our continued prosperity. Our wealth and our resources are so vast that no reasoning founded upon our past condition during periods of great public indebtedness, is directly applicable now. Material wealth in every form has immensely increased. This is conspicuously true of New York, as it is of a great area over which new States are forming. As a fair measure of this advance, it will be seen that the New York city banks in November, 1860, as represented by their loans, conducted a business of one hundred and twenty-two millions of dollars, and at the same date in 1867, the volume of their loans was nearly two hundred and forty-eight millions of dollars, or more than double the business of 1860. Hardly less significant, if not in so great a ratio, is the advance in most departments of business and enterprise, as will be found by reference to the tables of commerce and tonnage; railroad and insurance capital; mercantile, manufacturing and mechanical employments, and the value of real and personal estate.

The amount to each person of our tax for 1866, paid to the General Government upon an approximate estimate, was, from internal revenue sources, \$8.80; upon custom duties, \$5.15; making a total of \$13.95. Placing our population at four millions it would amount to the sum of fifty-five millions eight hundred thousand dollars. The aggregate of State, county, town and city taxes, can hardly exceed this sum by ten millions

of dollars. If the assessed valuation of taxable property was the true index of its real value, the burdens imposed might be regarded with great uneasiness, if not with just alarm. But no such disquietude has been felt at the centers of business; real property has maintained its prices; manufactures have prospered, and trade has been remunerative. According to the census of 1865, in an area of 28,297,142 acres of land embraced in the State, about 16,000,000 of acres are improved, and the value of the farms is placed at nine hundred and twenty millions, three hundred and forty-nine thousand, three hundred and thirty-one dollars; an increase of thirteen ten-hundredths per cent. in five years; and the valuation of farm stock, agricultural implements, furniture, and investments in manufactures, swells the amount to twenty-four hundred and seventy-three millions, three hundred and ninety-eight thousand, five hundred and forty-nine dollars. This enumeration does not include the amount invested in commerce, articles of personal adornment, and many other items of personal property; it is probable, however, they fully equal the value of those I have named. I think it is safe to assume that the aggregate valuation of the whole real and personal property of the State will not fall below forty-five hundred millions of dollars, as against sixteen hundred and sixty-four millions, one hundred and seven thousand, seven hundred and twenty-five dollars returned to the State Assessors, and upon which their equalization was based. Upon this statement of value, the whole aggregate of Federal, State and local taxes would be less than three per cent.

May we not take another view of the case and inquire whether that part of our population belonging to the productive class are able, from the annual profits of labor and enterprise, to sustain the estimate of one hundred and twenty millions of dollars taxation. The aggregate of our population, according to the census of 1865, referred to, was 3,831,777. Excluding from this number females, and males under twenty-five and over sixty years of age, as non-producers, we have left 742,166 persons. It is obvious, upon this theory, that these sustain the great burden of taxation, and that the average paid by each is about one hundred and fifty dollars; full one-half of which sum is for purposes within our own State. When it is understood that a large number of these seven hundred and forty-two thousand one hundred and sixty-six persons from their wealth, pay many times one hundred and fifty dollars, it follows that the remainder pay less, and so little, that the burden adjusted upon a real knowledge of the true value of the property each and all possessed, would be indeed light. It will be borne in mind also, that the amount will annually be diminished both from the extinguishment of debt and the increase of population and wealth.

It is an error, however, to suppose that females and minors contribute nothing to our practical resources as elements of productive wealth. It is to be remembered that all invested capital is productive to the community as well as to the party making the investment, and that a very large proportion of the wealth of the State is owned by females, by minors, and by citizens who have passed the limit of three score years. These, though not for the most part active laborers, are, through the investment of their property in the various departments of corporate enterprise, including railway and navigation companies, banking and manufacturing, and all other similar corporations, availing themselves constantly of the agency of others to advance our general interests and prosperity, and augment the wealth of the State. They pay a proportion of our State and National taxes upon the property thus invested,

besides sharing the burdens common to us all, incident to the operation of the revenue laws.

The convergence of vast interests in New York, as the great commercial and financial center of the nation; our extensive operations, delicate as they are important, and the large share we are called upon to contribute to the support of the General Government, seem to justify more extended discussion.

In further considering the subject, it may not be profitable to discuss, or important to settle the question whether the rebellion could have been suppressed with less sacrifice than it has cost us. With a united North, none will doubt that it could have been. But the public debt is upon us, as the unavoidable result of the war; and notwithstanding its great burdens, we may yet congratulate ourselves that they are far short of the averted ruin of a divided country; and if we are called upon to deplore the disasters of the struggle, we may also rejoice in its compensations. Among these may be found its lessons of warning, its test of parties and their principles, its development of the patriotic endurance of our people, and the assurance it brings of the stability of our institutions.

A debt created in maintaining the perpetuity of our government and in defense of invaluable rights, is one which all honest men will agree must be paid. It is one for the payment of which we have all pledged our faith. It is our common interest to pay it. It is essential to the preservation of our public credit no less than to the maintenance of our personal, our State, and our National honor. There is hardly a man, woman or child that has not an interest in our public securities. There are three hundred and ninety millions in legal tenders and fractional currency, and nearly three hundred millions of bank notes secured by Government bonds. There are sixteen hundred national banks with four hundred and nineteen millions of capital, and five hundred and sixty millions on deposit, with their officers, stockholders and depositors. There are also State banks, individual bankers, trust, life, fire and marine insurance companies, with their numerous parties in interest, and to this add the savings banks, whose aggregate deposits in *this State alone* amount to one hundred and thirty-one millions of dollars, with over five hundred thousand depositors. All these institutions not only have directly more or less of Government securities, but all their debts and liabilities are payable in legal tenders of the Government. Not to dwell on this vast array of individual and corporate interest in our public securities, it is enough to say that it is a debt due from the Government which was saved, to the people who saved it. It is just, however, to the Government and the people alike, that this obligation should be discharged in such a manner as shall most conduce to the interests and honor of both. The public should not be subjected to undue burdens by forcing the premature payment of the principal; nor should we fail to provide for the prompt payment of the interests and such a reduction of the principal as will not impair our productive energies. Such a forced payment is uncalled for by a prudent regard to the public faith or the public good; and as it requires continued heavy taxation, we may wisely forbear to apply such a test to the forbearance and patience of the people.

We have been thoroughly educated in the doctrine that every generation, so far as possible, should pay its own indebtedness. There are exceptions, however, to this correct rule; most prominent among them is the case before us, in which great trials have been endured and great sacrifices made, not only to protect the present rights of the people, but

to perpetuate the blessings of good government.' Weighed down by the derangements and devastations of the most formidable war known to history; for the benefit of the coming generations, as well as for the safety and security of the present, we require time for the renewal of our industry, to replenish our means, and to gather strength from reconstruction and increased population. It will be honor enough—when the not far distant future, from recuperated energies the burden will be lighter—to illumine our history with the extinction of a public debt created in defense of our liberties. We are called upon, therefore, in every consideration of interest and of duty, to relieve labor from oppressive burdens, and as most of the evils which the rebellion entailed upon us center in taxation, to the solution of this problem thoughtful consideration of all is invited.

Congress can, and doubtless will, in their good judgment, strike hundreds of items from the tax list which are more fruitful of annoyance than of revenue; and it should reduce and re-adjust the taxes so as to have them fall where they would be least felt, most readily paid, and most easily collected. With a judicious reduction and adjustment of taxes, wise retrenchment, and a firm and impartial enforcement of revenue laws, with industry relieved and enterprise encouraged, and the vast treasury of our natural resources made tributary to our progress, we look to the future of the country with a calm and assured confidence. Our national production has doubled in thirteen or fourteen years, and may reasonably expect with taxes so reduced as not to impede national development, our power from production will be twice as great at the end of that period of time. At least, an estimate based upon past conditions of growth, can hardly fail to be realized in the future.

The re-adjustment above suggested is the more essential in view of the high price of commodities and the low price of gold, which tend to be stimulants to foreign importations. It is hardly to be expected, however, that we shall ever get back to the prices which prevailed prior to the rebellion. I need not advert to the causes further than to remark that gold has depreciated or lost in its purchasing power from its great increased production within the last few years. In countries where the gold currency prevails, prices have steadily increased, and from the prospect and returns of the mines, this cause must inevitably continue to affect prices in a greater or less degree.

In regard to local taxes, I am convinced that our method of assessment is essentially defective. It cannot be doubted that a much nearer approximation to equal assessment could be attained if our laws provided for specific returns of all taxable property. No one can question that the personal property of individuals very largely escapes taxation. The personal property of this State in 1860, after deducting corporate property, left the amount assessed to individuals at about one hundred millions of dollars. This class of property in Georgia was assessed that year, after deducting the slave property at the estimated average value of four hundred dollars a slave, at two hundred and ninety-two millions in Mississippi, at three hundred and thirty-three millions; and in South Carolina, at two hundred and sixty-two millions of dollars. In Ohio, for the year 1866, the amount was four hundred and six millions. The same year in this State the personal property indicated was about two hundred and thirty millions. How much of this was corporate property, in the States referred to for comparison, I am not informed, but it could not have been very considerable. Evidently the assessment is based on different principles, designed to produce a more just distribution of the burden; for there can be no doubt but the personal property of individuals

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States. The existing laxity and inequality of assessment of  
severity and injustice upon real estate, and upon those who  
more nearly or entirely to the sum of their personal property  
wise evident that this defective assessment of personal prop-  
an undue and disproportionate share of the State tax up-  
where but a moderate amount of personal property is held.  
may be, and doubtless is, generally undervalued; but a unif-  
in its valuation, while reducing the percentage, will not affect  
of tax, and it is apparent that it would be reduced by just  
personal property is brought to light and made to bear its  
share of the burden. If discrimination may be made, it sh-  
to the prejudice of real estate, because personal property co-  
lic more for its protection, and generally yields a larger p-  
profit. We have nothing to fear from unwillingness in t-  
contribute fairly to a just distribution of taxation, but une-  
the murmur of discontent may be expected. A burden which  
be borne when distributed uniformly and equally, placed o-  
ders of a few, or upon the many with unjust discriminati-  
oppressive.

The laws in several of the States require individuals to fur-  
of their property as the basis of valuation. The tax laws  
represented to me as working satisfactorily, and I believe the  
rience has obtained in some of the eastern States. In this o-  
and better form, a remedy should be provided for the imp-  
our existing system. I commend this important matter to  
consideration, and respectfully suggest, that if the difficul-  
to the question should seem to you to require it, it might b-  
to provide for a competent commission to investigate the  
report promptly to the Legislature such facts as they can  
such recommendations as may be deemed advisable, in view  
tical results of legislation in other States in aid of this gen-  
The end to be attained is one in which the entire communi-  
interested. Every class of our citizens recognize the necessi-  
and all will cordially acquiesce in such legislation as will s-  
and just equalization of the general burden. Every citizen  
tent to do his part, if he can be assured that he is charged w-  
than his own equitable and legitimate share.

*Canals and Canal Fund.*

Balance in the treasury and invested, Oct. 1st, 1866...	\$4
Received during the year.....	5
	\$10
Paid during the year.....	6
Leaving a balance, September 30, 1867, of .....	\$3

*Revenue during the fiscal year.*

From tolls .....	\$3
Rent of surplus water .....	
Interest on current canal revenues .....	
Miscellaneous receipts.....	
	\$4

*Expenses.*

To Canal Commissioners for repairs .....	\$313,681 88	
To Contractors for repairs .....	691,033 52	
To Superintendents for repairs .....	70,162 51	
To Collectors, for salaries, clerk hire, pay of inspectors and expenses of collectors' offices .....	76,168 96	
To salaries chargeable to annual revenues, refunding tolls, printing and miscellane- ous payments .....	69,145 78	
	<hr/>	\$1,220,192 65
Surplus revenues .....		<hr/> \$2,830,165 14 <hr/>

Surplus revenues, which have been transferred to the Sinking Funds,  
as follows :

Under article 7, section 1 of the Constitution .....	\$1,700,000 00
Under article 7, section 2 of the Constitution .....	350,000 00
Under article 7, section 3 of the Constitution .....	780,165 14
	<hr/> \$2,830,165 14 <hr/>

Canal debt, paying interest on the 30th September, 1867 :

	Principal.	Annual interest.
Under art. 7, sec. 1 of the Constitution ..	\$3,247,900 00	\$162,395 00
Under art. 7, sec. 3 of the Constitution ..	10,775,000 00	646,250 00
Under art. 7, sec. 12 of the Constitution ..	1,700,000 00	102,000 00
	<hr/> \$15,722,900 00	<hr/> \$910,645 00 <hr/>

The aggregate balances of the sinking funds, applicable to the canal debt at the close of the fiscal year, were \$3,214,940.10. None of the stocks named in the foregoing table matured before October 1st, 1868, and then only \$247,900. The department has purchased \$2,443,700 of five and six per cent. unmatured canal stocks at a discount of \$75,187.50, and redeemed \$53,300 of stock overdue and not before presented for payment, making a total of \$2,497,000 purchased and cancelled during the year. On the first day of October, 1868, the actual and estimated balances in the sinking funds will exceed \$4,000,000, applicable to the payment of the principal of the canal debt. At the close of the fiscal year in 1860, the aggregate of this debt was ..... \$27,107,321 48  
Present debt ..... 15,722,900 00

Amount of reduction in seven years ..... 

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\$11,384,421 48

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Should the surplus of \$4,000,000 be applied in October, 1868, the debt will be reduced to \$11,722,900. Upon the basis of the average revenues of the canals during the last seven years, the whole will be fully extinguished in 1874; and the Canal and General Fund debt, now a lien upon the canal revenues, will be discharged in 1877.

The taxes levied and money appropriated for the improvement of the Champlain canal, according to the plan prescribed by the act of 1864, will not complete the work, and the further sum of \$20,000, is required



for that purpose, as now estimated. The enlargement of the remaining locks of this canal to the dimensions of those on the Erie, seems essential to its full measure of usefulness. The amount needed for such an improvement ought not to exceed \$250,000. The importance and value of this branch of our system of public works will not be doubted; nor that the completion of such enlargement would more than meet the fair demands of production and enterprise, and ultimately repay the investment.

The Genesee Valley canal is one of the State works finally constructed under the present Constitution, and still retains its inalienable character. The revenues of this canal in good condition, it is believed, would be fully adequate for necessary repairs and maintenance, but its improvement will become a charge upon the public treasury. For several seasons, during the summer months, the deficiency of water on the summit level of this canal has impeded, and latterly wholly interrupted navigation near its southern terminus. If we continue to refuse the amount necessary to restore the canal to a navigable condition, it is equivalent to a declaration that the southern portion of the line may be abandoned. It is estimated by intelligent authority that the difference of tolls arising from a judicious expenditure on this canal, would pay six per cent. on \$250,000. If this be true, our pecuniary interests will not be impaired, while our good faith will be maintained, in granting the aid needed to restore to use this public work.

Upon the extension of the Chenango canal, the sum of \$842,146.00 has been expended, and the work is still unfinished. The appropriation has been exhausted, and the work upon it has been stopped. The deliberations of the Constitutional Convention do not warrant the belief that, in an amended Constitution, the creation of a debt for canal purposes will be authorized. Our experience derived from the history of our public works, is adverse to the economy, to say the least, of a temporary suspension in their prosecution. Assuming that it is just to public expectation, and advantageous to the public interests to complete this work in the not far distant future, I respectfully invite your attention to the consideration of the question whether it may not be well to proceed with the work without further delay.

The other canals of the State are in a fair and prosperous condition, and by their contributions to the public wealth and business, justify the policy that has inaugurated, maintained and extended these great avenues of inland commerce. The constantly augmenting productions of the great west; the iron, coal and lumber trade; together with freight from other sources of development, which attain with each returning year still greater proportions, give increased support to our public works, and incite to yet further advance in perfecting the facilities for internal transportation. For detailed statements as to their particular condition and needs, I respectfully refer you to the report of the Canal Commissioners and the Canal Auditor.

#### CLAIMS AGAINST THE GENERAL GOVERNMENT.

The settlement of the unadjusted accounts between the State and the United States, has been urged as rapidly as their complicated nature would permit. Of that portion for war expenses, amounting to \$1,529,345.18, which had been suspended, and which was unadjusted at the date of my last annual message, the sum of \$879,058.22 has been allowed and passed to the credit of the State, leaving \$650,286.96, which is now in the course of settlement, but under existing regulations, subject to technical objections which involves some delay. I have also

caused to be presented the claim arising under chapters three hundred and ninety-seven and four hundred and twenty-one of the Laws of 1862, amounting to \$281,845.86, which, with the preceding sum, will nearly balance the amount advanced by the United States, including the direct tax; the difference being only \$2,842.72. The value of the clothing and equipage retained and issued to the National Guard of the State, has not been ascertained, but under the present orders of the War Department, there can be no doubt of an early adjustment of this portion of our account upon an equitable basis. In addition to the foregoing accounts, are several of comparatively small amounts, created by authority of acts of the Legislature in 1862, 1864, and 1865, and which, as soon as prepared, will be embraced in the schedules for payment. The State has taken initiatory measures to secure a final and complete settlement, by the appointment of commissioners, under the provisions of chapter three hundred and fifty-seven, Laws of 1867, and it is to be hoped that Congress will speedily authorize the appointment of a similar commission, on the part of the United States, clothed with full power to allow all equitable claims. Every proper effort should be made to this end, and when fully accomplished, there will be cause for congratulation, that the State has emerged from the great conflict with so little direct burden for ordinary military expenses.

#### MILITARY DEPARTMENTS.

The National Guard of the State has improved during the past year in organization, discipline and practice. It has been my pride, hardly less than my duty, to promote such a condition of our military force that, in ordinary periods, it might inspire general confidence, and in emergencies to which a great State is subject, its power could be displayed with advantage and honor.

In a State so strong in its varied elements of power, so rich in means and resources, with a population so sensitive to social and commercial revulsions, and a frontier so extended and exposed to inroads and invasions incident to war, the importance of maintaining a thorough and sufficient military establishment can hardly admit of debate. It assumes the dignity and importance of a co-ordinate branch of the civil government, and as such, is entitled to liberal recognition and support. A free government, however perfect its constitution and laws, cannot safely dispense with a well organized militia. It is a safeguard and protection from those extraordinary outbreaks which occasionally threaten to disturb the peace of society, and the security of property; and when occasion requires, it may always be relied upon to aid in the enforcement of law and the maintenance of order. It may be regarded as the power in reserve for the preservation, in great exigencies, of the rights of the citizen and the safety of the State. It will be conceded that there should be at all times a good organization of volunteers, well armed, equipped and uniformed at the public cost, practiced and disciplined to the best attainable extent in peace, and ready for any emergency that shall call them to arms. It seems to me, however, that we should undertake to maintain only so large a force as may be placed on a complete war footing and trust for its increase, from time to time, to our advance in population, enterprise and prosperity. I therefore respectfully recommend the reduction of the present minimum of the National Guard to a number that can be fully equipped, thoroughly disciplined and qualified for active duty.

I submit for your consideration also the propriety of authorizing encampments of the militia in various sections of the State during the

coming season. Such a measure would tend to incite a spirit of generous emulation, productive of improvement in the drill and discipline of our arms-bearing population. Assembled in large bodies; subjected to rigid inspection; and schooled in the routine of military duty, the men become, in some degree, inured to the exposures and hardships of the more severe service of the field.

The present numerical strength of the National Guard is about forty-five thousand officers and men. For a detailed account of the condition of the military forces of the State, I refer you to the report of the Adjutant-General, which will soon be transmitted for your consideration.

The other military departments of the State afford evidence of the progress common to every branch of our militia system. The duties of the officers of my staff have been performed with intelligence and fidelity; and in all projects of reform within the province of their respective departments, they have uniformly given zealous and efficient co-operation. Their several reports showing the business of the bureaus under their supervision, will be duly submitted for your information.

#### SOLDIERS' AGENCY AND HOME.

Incident to the close of our late war, are certain appeals for aid which enlist the higher sentiments of our nature, and command hearty and general appreciation. Prominent among these are the collection and preservation of the evidences of the patriotism of our State; of the endurance and valor of those of her sons who participated in that great struggle; and of the leading historical incidents of this memorable period of our history. To extend to the widows and orphans of those who died for their country every facility in the preparation and prosecution of their claims on the General Government, and the prompt and economical collection of the amounts due them, is a duty we have cheerfully recognized and faithfully endeavored to discharge. It is, however, a continuing obligation, and the work is not fully performed. Then there are those with wounds received amid the shock of arms, who still have needs that our sense of justice and gratitude will neither deny nor ignore. Many are incapacitated from competition in the market of unskilled labor, whose years and previous training unfit for higher employments. The character and extent of the provisions yet made by the General Government for this class are inadequate to their condition and wants; and I feel assured that it is only necessary to refer to them, and to the origin and extent of their disabilities, to secure the most thoughtful consideration on your part, and the most ample provision for their comfort.

From the report of the Chief of the Bureau of Military Statistics, it will be seen that the labor of preserving and arranging the memorials and historical narratives, has been continued. Very much of interest and value has been added during the year. The sum of ten thousand, nine hundred and seventeen dollars and eighty-one cents has been received for the "Hall of Military Record" since the last report; making the whole sum for that purpose up to the present time thirty-six thousand, two hundred and eighty-eight dollars and ninety-six cents.

The work has already been commenced on the new capitol under favorable promise of early completion, and I venture to renew the suggestion made in my last annual message that a suitable room, both as to arrangement, safety and location, may be provided in that building for the purpose I have indicated, without increased public expenditure or inconvenience to other public interests. In view of the fact that hardly one-half of the amount contemplated by law, has been raised for

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ch labor, and their inability to with-  
many of them have returned to the  
er the Home for temporary assistance  
or recurring sickness. In health, by the  
maintain themselves, and it is only when  
s that the shelter of the Home is required.  
three fourths of the admissions were of this  
past year about the same proportion have  
e class, by far the most numerous, and alike  
are not within the requirements for admission  
ome, which receives only those who are perma-  
more should be done by us. It is probable  
could be made with the United States authorities  
entirely disabled, in a home within our own  
vise and control. My observation leads to  
e soldier leaves his own State, however pleasant and  
eat within another may be, with extreme reluctance.  
to accept the trials of war, but it is hard, after  
to separate these suffering and maimed defenders so  
ne and friends, and to remove them from the State whose  
ce have been secured by their unfaltering courage and  
Over-estimate the pride and the gratitude of the peo-  
in assuming your readiness as their representatives  
at requirements of these most deserving men. It is  
necessary to recommend that an appropriation be-  
ablishment of a permanent Home. Should the Legisla-  
not concur in these views, I respectfully ask that provi-  
to continue the present arrangement until such time as the  
wholly disabled to the United State homes can be effected,

JAN. 7.]

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and until the partially disabled are in such condition  
return to their families, neighbors or friends.

#### PUBLIC CHARITIES.

A liberal and humane policy in relieving the sub-  
and affliction has prevailed in this State from an  
history. Though legislative action and the various  
benevolence, the means and facilities have constantly  
for providing for the wants of the hapless and destitu-  
ments of public charity. It no sooner became apparen-  
for the protection and treatment of the insane at the  
inadequate, than measures were taken to provide the  
dations. Two other institutions were projected and  
of construction: the Willard Asylum at Ovid, and  
Asylum at Poughkeepsie. The central portion an-  
former are nearly finished, and it may be opened for  
patients during the present year. The commissione-  
to have shown a wise regard for economy in prosec-  
using materials found on the lands appropriated by th-  
ing the needless and improvident expenditures which  
the cost of structures erected under State authority  
the Hudson River Asylum have adopted well conce-  
buildings, and are now engaged in the earnest and fa-  
their duties. The necessity which called for this ext-  
volent care of the State over this class of helpless chi-  
with increasing force until these additional institutio-  
the reception of patients. I would therefore recomm-  
will lead to their early completion, as a matter of v-  
humanity.

The officers of the asylum at Utica report the ge-  
that institution for the past year as follows:

Under treatment at the commencement of the year..  
Received during the year.....

Whole number treated.....  
Discharged during the year.....  
Discharged improved during the year.....  
Discharged unimproved during the year.....  
Discharged as not insane during the year.....  
Died during the year .....

The commissioners intrusted with the construction  
the blind at Batavia have made successful progress, l-  
additional appropriation to complete the tasteful a-  
structure now in course of construction. They hav-  
mendable regard for the interests of the State; and in  
the enterprise have displayed marked intelligence, ze-

The Board of Trustees suggest that the number  
class of unfortunate persons are such as to call for t-  
this character. Should this view obtain, your attent-  
directed to their earnest recommendation for the pur-  
ing at Binghamton, already selected and prepared for  
of the blind.

In pursuance of an act of the last Legislatre, the t-  
briate Asylum at Binghamton have conveyed the asyl-  
State. The board have continued in the discharge of

mental statue of a Union soldier keeping guard over the dead, which the trustees propose to erect at an expense of thirty thousand dollars.

#### STATE PRISONS.

It appears from the report of the inspectors, that there were twenty-nine hundred and twenty inmates in the State prisons on the thirtieth of September last. The management of the prisons has given general satisfaction, and the financial results are more favorable than I had at one time apprehended. It is true that the expenditures have been about one hundred and seventy thousand dollars over the receipts; but the causes which have produced this result are clearly and satisfactorily explained in the annual statement of the inspectors. While it is desirable that the receipts should be at least equal to the expenses, this cannot properly be regarded as the primary object, nor even as one of the most essential requirements of these institutions. The regulation of the mode and degree of punishment, the safe keeping of the convicts, the maintenance of prison discipline, and the adaptation of the means employed for the reformation of the criminals, are matters of even greater importance than a fiscal balance in our favor on the prison ledger. It seems possible, however, to promote this end without drawing, under ordinary circumstances, upon the public treasury. The most favorable results from the industry of convicts have been attained at the Dannemora prison, where the inmates are employed directly by the agents of the State. It is the judgment of inspectors, in which I am inclined to concur, that the extension of this system to our other prisons would be attended with advantage to the convicts and profit to the State.

The records of the prisons show an improved state of discipline, resulting, doubtless, from more strict administration, and the incentives to good conduct held out to the convicts under the authority of a recent act of the Legislature, allowing them to earn certain deductions from the period of imprisonment, by the careful observance of prison regulations.

It is not improbable that some modification of our prison system will be recommended by the Convention for the revision of the Constitution, and hence I forbear to enter more largely upon the discussion of this branch of the public interests. The whole subject of our prison administration; the punishment and reformation of criminals; and the exercise of the pardoning power, is worthy of grave and thoughtful consideration. Much has already been accomplished, but much more remains to be done in perfecting reforms which seem to be attainable through well guarded and enlightened legislation.

#### QUARANTINE—PUBLIC HEALTH—HARBOR OF NEW YORK.

The number of alien immigrants who arrived at the port of New York during the past year was two hundred and forty-two thousand, seven hundred and thirty-eight, being nine thousand three hundred and twenty in excess of last year. Immigration is one of the sources of the wealth of our country, and an essential element of its progress and power. It is estimated that during the last twenty years about four millions of immigrants have arrived at the port of New York alone, and we may safely assume that these accessions, together with their natural increase, amount at present to eight millions, or nearly one-fourth of our entire population. While it is true that our cheap and fertile lands, our profitable pursuits, and our free institutions invite them hither, it is also true that commerce and industry generally follow the march of the immi-

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houses is generally conceded, and I am not without hope that Congress will yet take measures to this end.

Provision was made by the act of April last, for the temporary occupation of Barren Island, as a place for the detention of well passengers under quarantine, and for a permanent station on Coney Island. A site for the latter was selected by a board of officers charged with that duty, but the commissioners have been restrained by injunction from taking possession. The law authorizes the selection of a suitable site on the west end of the island. It was deemed proper that it should embrace a sufficient area to secure complete isolation, and thus avoid any possible danger from its use for quarantine purposes, but I am advised that the court has decided that the powers of the board were limited, and that they had no right to take the question of isolation into consideration. The effect of the decision has been to render that portion of the act inoperative, and your attention is respectfully directed to the question whether there should be further legislation to promote the original object.

The Police, Fire and Central Park Commissioners have continued to discharge their important functions to the satisfaction of the people of the State, and in a manner especially acceptable to the communities more immediately affected by their action.

An act was passed by the Legislature in 1865, to authorize the erection of warehouses and docks in the port of New York, for quarantine purposes. These docks and warehouses were designed to facilitate the discharge of cargoes from vessels not infected with disease, although subject to detention by reason of exposure on the voyage, or in ports from which they sailed. At present such vessels are relieved of their cargoes by lighters, at some point in the bay considerably removed from the main land. It was supposed that the projected warehouses could be erected in the bay, not less than one and a half miles from shore, and a restriction to that effect is contained in the act referred to.

By the same act the Governor was authorized to appoint commissioners to confer with the authorities of the State of New Jersey, relative to the insufficiency of the quarantine regulations with that State, applicable to the waters, and land under water, within her jurisdiction. It has been ascertained that a suitable site cannot be found, except on lands under water, the proprietary right to which is ceded to New Jersey by the compact made with that State in 1834. The commissioners appointed have endeavored to obtain the grant, and the Legislature of that State, by joint resolutions passed in April last, designated commissioners to confer with them on the subject. The result of their conference, I am assured, will be communicated to the Legislature of both States in time for action during the present winter.

In connection with this subject, my attention has also been called to a prosecution instituted by the late Attorney-General, in the name of the people, against the New Jersey Central Railroad Company, to prevent the construction by that company, of docks and piers projecting from the New Jersey shore far out into the bay of New York. A large area of the bay, comprising many hundreds of acres, is included within these structures. The compact between the States expressly secured to New York exclusive jurisdiction over these waters to low water mark on the New Jersey shore, but subject to the right of the latter State to construct wharves and docks. It is claimed by New Jersey that the provisions of the compact authorizing such construction, by legal implication, permit their extension and filling in with earth beyond low water mark, so far as may be found convenient for commercial purposes. It

is sought on this ground to justify the erection by the New Jersey Central Railroad Company, of structures extending a mile into the bay, under grants obtained from that State. If these encroachments on the bay are continued, they will seriously interfere with the use of the harbor and the convenience of general commerce; and if they are in violation of the territorial rights of New York, this constitutes an additional and conclusive reason for restraining them. In either view, it is obvious that wharf lines on both shores of the harbor should be established, beyond which docks should not be extended. With my sanction, the commissioners appointed presented the subject to the agents on the part of New Jersey. It is hoped that a satisfactory arrangement will be agreed upon and submitted to you at an early day.

The questions involved are of the greatest importance. The foreign and domestic trade, at the port of New York, is of immense magnitude, and that city is already the rival of the leading seaports of the old world. In the hope that interests so vast may be further promoted, I think it desirable to continue the commission.

The whole subject, relating to obstructions of the harbor, and a more commodious and complete system of wharves and piers, is of grave public importance, and I respectfully commend it to your careful consideration.

#### SPECIAL LEGISLATION.

In my last annual message, I alluded to the importance of strict adherence to the policy indicated in the first section of the eighth article of the Constitution, which provides that corporations may be formed under general laws, "but shall not be created by special act, except for municipal purposes and in cases where, in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws." Acting in the spirit of this provision, the Legislature, from time to time, framed laws of general scope and application, almost wholly removing the necessity for special charters. It seems to me that this regulation should be strictly observed; and that exceptions should be admitted only in cases of extreme hardship, and when the public good clearly justifies a departure from the general rule. The pressure of private interests has led to its disregard, and we have seen individuals and associations obtain by inconsiderate legislative grants, unnecessary and extraordinary special privileges and powers. In a period of vast transactions and great commercial activity, competition in every department of enterprise finds increased stimulus, and you doubtless will be frequently invoked to advance schemes which promise individual advantages and the promotion of objects seemingly meritorious.

The danger lies in the tendency to give projects for private advantage and gain an undue prominence, to the prejudice of the vast public trusts committed to your special and immediate supervision. The last Legislature passed more than one thousand bills, of which nine hundred and seventy-four received my approval, covering twenty-six hundred printed pages. Of this number, one hundred and twelve only were of a general public character, while three hundred and thirty-seven related exclusively to private interests, and five hundred and twenty-five had merely a local bearing. If it is considered that the work of preparing, examining and maturing these measures was compressed into a period of less than four months, it will be apparent that a great proportion of the bills must have been passed without careful examination and a deliberate consideration of their provisions and legal effect.

More than one-half of these bills were enacted during the last ten days of the session, and notwithstanding close application on my part,

in the discharge of the duty devolving upon me, four hundred and ninety-four did not receive my approval until after the adjournment of the Legislature. This is not wholly an exceptional case. With my immediate predecessor, two hundred and eighty-one bills the first year of his term, and two hundred and forty the second year, were acted upon after the close of the session, and obviously from the same cause. It cannot be doubted that a firm adherence to the policy indicated in the Constitution would tend to more careful legislation, and a great reduction in the number of the laws. It is a significant fact, that the French House of Deputies, during its last session, of more than five months duration, enacted only one hundred and thirty-five laws. The Parliament of Great Britain, during the years 1865 and 1866, enacted but three hundred and ninety-six; and the 38th and 39th Congress of the United States, embracing a period of four years, enacted only three hundred and twenty-eight laws, including those of a private and public character. This comparison gives support to the prevalent opinion that we not only legislate too much, but that a portion of the measures over which the Legislature exercises jurisdiction are imperfectly considered, uncalled for, and lead to embarrassment and confusion.

Entrusted by the Constitution with the authority to impose taxes for public purposes, and charged with the duty of restricting the powers of municipal corporations to contract debts, the obligation resting upon you is alike delicate, arduous and responsible. A large portion of the tax borne by the people is the outgrowth of the recent war, the exigencies of which justified the assent of the Legislature to the large burdens assumed by the State and by localities. But the war has passed, and every consideration of policy, patriotism and interest, points to the necessity of a prudent husbandry of the public resources, and a careful avoidance of all experimental legislation for mere private or corporate ends.

#### EDUCATION.

There are probably few among us who, even amid the pressure of the active affairs of life, fail to recognize the importance and magnitude of our system of popular education. Our people have acted upon the theory that the extension to every class and condition of society, of the means of early education and facilities for the acquisition of knowledge in after life, contributes to the prevention of crime, the preservation of social order, the security and stability of the government, and the thrift and prosperity of all who are engaged in the various departments of industry. Our legislation has been based on this liberal and enlightened policy, and the practical result is that our schools are open to the children, even of the poor and the homeless. We have been steadily extending the facilities for instruction in the higher departments. The State has generously and wisely given aid, from time to time, to institutions struggling to rise under the disadvantage of a feeble endowment or a limited patronage. The revenue of a permanent fund, wisely established for the development of the sciences, has been liberally dispensed, and there is reason to believe that our system of education, as a whole, is meeting the just expectations of the people.

The following summary is gathered from the records of the department of Public Instruction, and from the interesting report of the Superintendent:

For the support of Common Schools—

Public moneys, including three-quarters mill tax.....	\$1,403,163 84
Voluntary loan taxation in the school districts.....	5,591,871 06



Rate bills.....	\$743,306 72
Other sources .....	1,134,890 74
Expenses during the year—	
Teachers' wages.....	4,881,447 53
Libraries.....	24,414 86
School apparatus .....	211,637 82
Building and repairs of school houses.....	1,712,523 36
Miscellaneous and incidental .....	850,884 73
Balance reported on hand .....	1,192,324 06
Total number of children and youth between the ages of five and twenty-one years.....	1,372,853
Number of children between the ages of six and seventeen years .....	943,699
Number of children of school age who have attended the public schools during some portion of the year.....	947,162
Teachers employed in public schools for twenty-eight weeks or more.....	15,606
Number of male teachers.....	5,263
do female teachers.....	21,218
do school districts.....	11,724
do school houses.....	11,580
Aggregate number of weeks .....	357,137
Volumes in district libraries .....	1,113,147
Number of pupil teachers attending the three Normal schools .....	689
Teachers instructed in teachers' institutes .....	9,682
Teachers in teachers' classes in academies .....	1,373
Amount of money to be apportioned for the support of common schools for the current fiscal year .....	\$2,400,134 65

The report further shows that the number of children and youth in daily attendance at the public schools is 30.62 per cent. of the entire number between five and twenty-one years of age, or 44.54 per cent. of the whole number of children between six and seventeen.

In my last annual message, I expressed the opinion that the propositions for the location of normal and training schools in the villages of Fredonia, Brockport, Cortland and Potsdam, would be carried into full effect at the earliest practicable period. That opinion has been confirmed. The erection of the buildings has been vigorously prosecuted, and when they are finished and furnished, with the grounds upon which they are located, the value cannot be less than four hundred thousand dollars. The schools at Fredonia and Cortland will be open for the reception of pupils during the ensuing summer or early autumn. The main part of the building at Brockport is completed and occupied for a normal school, which is in successful operation. The Oswego and Albany normal schools are reported to be in a prosperous condition, each numbering as many pupil teachers as can well be provided with instruction.

The establishment of two additional normal schools has been authorized by law, one at Buffalo and one at Geneseo. The liberality and public spirit of the people of these places will not fail to consummate an enterprise of so much local and general importance. I am informed by the Superintendent of Public Instruction, that the law of last winter, which abolished rate bills and charges, though it has been in operation only since the first of October last, is producing a very large increase of the aggregate number of pupils at the schools, and greater regularity in their attendance. It is believed that the additional tax imposed by

that law, will equal the amount of money which has heretofore been raised by rate bills. It has the effect, as will be seen, to decrease local or school district taxation, by so much as it increases the general State tax. It simply transfers the burden from the few to the many; from those with limited means, but possibly with large families to the aggregate property of the commonwealth. An examination of the assessed valuation of taxable property in the several school districts of the State, will show that even for the support of inferior schools the percentage of taxation in certain districts often largely exceeds that in neighboring districts in which there are superior schools, and the same or a greater number of children of school age. Conceding that the education of the people is a matter of common concern, to which each one should contribute according to his pecuniary ability, the justice of reducing this local district taxation by the general State tax for the support of schools, is apparent. Even should the support of free schools require an increase of this tax, I should still concur in the opinion "that in promoting the great interest of moral and intellectual cultivation, there can be no prodigality in the application of the public treasury."

In all our cities, and in most of our large villages, the education of youth is provided for by special acts, giving enlarged powers to the local authorities, or creating boards with exclusive control of the schools. They are generally well managed, and it is believed that our schools in the city, as well as in the country, have advanced the character of our population above that of any other people. If it is true, however, as asserted, that poverty, crime and ignorance, still largely prevail in our most populous cities, the result, in part at least, of neglect to educate all the young, should we not extend and improve our schools and bring every child within their influence? In some of our cities, and especially in New York and Brooklyn, the school accommodations are insufficient, and thousands of children are unable to gain admission. The provision for higher classes and more advanced pupils, is not deficient, but the rooms for primary scholars are overcrowded. It is probable that the city authorities have power to correct this defect, but if otherwise, I feel confident that the Legislature will apply the appropriate remedy.

The Cornell University has been developed quietly and effectively during the past year. One large and substantial edifice in stone has been completed, and another is being pushed rapidly forward. A large number of professors have been chosen, and all the preparation for opening the university has so far advanced as to induce the trustees to announce that students will be received in September next. The law granting to this university the proceeds of the land grant of Congress, continued in force, will form a noble endowment, and place the institution upon a foundation which cannot fail to give it prosperity and permanence. It can hardly be doubted that the original intention of the act to promote agriculture and the mechanic arts will receive, in the progress of this university, its highest fulfillment. Combining the greatest scientific, literary and practical advantages, with a large number of free scholarships open to competition in all the Assembly districts of the State, and somewhat connected as it is with our common school system, it seems well worthy of the fostering care of the Legislature, and of the confidence of the people of the State.

I would also call your attention to the State Cabinet of Geology and Natural History, and the importance of keeping up its collections, and of completing the publications connected with the Natural History of the State, which have proved important auxiliaries in the progress of

geological science. These works are cited as standard authority in all parts of the civilized world. Our collections have been largely increased during the past year in many of the departments, and perhaps in no other State are the results of scientific research more diligently sought or more carefully preserved. Our material interests are so intimately connected with the advance of science in every department of investigation, that I do not hesitate to commend it to further recognition and support.

The report of the Regents of the University presents the condition of the colleges and academies of the State as highly prosperous. Among the interesting suggestions contained in the statement, is that which relates to the growing munificence of individual citizens in the permanent endowment of the higher institutions of learning. It is stated, however, that instances have occurred in which parties wishing to set aside funds for educational purposes, have been at a loss how to secure their permanent application to the end in view. While the State provides free instructions for all in the elements of knowledge, it may properly encourage individual liberality, by providing whatever is needed in legislation for the protection of gifts and bequests to colleges and academies incorporated by the State, and subject to its general supervision.

#### STATE AND NATIONAL INTERESTS.

The predictions of disaster to the country from the emancipation of four millions of slaves, have been most signally falsified by the event. They have exercised the rights of freemen; and as they before proved themselves brave and trusty soldiers, they have now shown themselves faithful and willing laborers, and peaceful and law-abiding citizens. They have diligently tilled the fields which others owned, for wages hardly adequate to the support of human life, and they have submitted patiently to the wrongs which others were too ready to inflict. Availing themselves of the means of education whenever the efforts of humanity in their behalf have vindicated the wisdom and justice of Congress, in admitting them to share with their late masters, in the exercise of the freedmen's right of suffrage.

The propriety of this measure, like that of enrolling them in our armies during the war, became in the public mind too obvious to be postponed; it was, however, the occasion of earnest solicitude to many good and loyal men. It is no doubt desirable that those who exercise the elective franchise under a democratic form of government, should be educated and intelligent; but if the right of suffrage was restricted by such a standard, it would not tend to the extension of these advantages, or to the elevation of the humbler orders of the community. It cannot be doubted that most of the privileged class thus created, would be content to retain undiminished the power deposited in their hands; and few of them would care to raise those below them to equality of political rights. One of the leading merits of our system of representation, is its tendency to secure the benefit of just and equal laws; to interest every citizen in the general welfare and prosperity; to extend to all the means of education, and to hold out inducements to honorable exertion and the prospect of advancement. But still more important than the qualification of intelligence and education is that of loyal allegiance to the government; and a condition of things existed at the South which made this a vital consideration.

It is conceded that, at the fall of the Confederacy, the States which composed it were "deprived of all civil governments." They were dis-

gations by destroying the Union, they succeeded in renouncing their political rights under the Constitution, and in destroying their local state organizations. The President, doubtless, had authority to hold them under military rule until provision could be made for their reorganization under the authority of public law ; but he had no right to institute civil government for the insurgent States. He had no power to enact or to repeal an act of Congress. Clearly these were questions for the law-making power of the Government ; and to be determined, not by his will, but by the will of the Nation, expressed in the form prescribed by the Constitution. His policy, as disclosed, was to assume the prerogatives of Congress, and to exercise in those states the powers relinquished by the Confederate leaders. He not only proposed his own terms to them, but also to the Nation, and by reinstating the rebel authority with increased political power, to confer upon the vanquished the fruits of victory. His plan embraced no less than immediate representation at Washington ; the Congress at Richmond having been overturned. It was proposed by him to restore those who had been defeated in war, to the position of a governing class ; ruling those whom they had recently held in bonds, and making laws for the nation which they had tried and failed to destroy. It was a policy revolting to the general sense of national justice and manhood, and acceptable only to those who loved power, hated liberty, or sympathized with the rebellion. From the west, the east and the north came the voice of dissatisfaction, and the work of reconstruction was entered upon by the law-making power to which it belonged.

The desire for an early restoration of the insurgent States to their practical relations in the Union, led the people to hope that the expectations held out to the rebels, had not checked the returning spirit of loyalty, which was gaining ground in each of the Southern States after the close of the war. Then it was that Congress at the first opportunity, in a noble spirit of conciliation and forbearance towards those who had risen in arms against the Republic, proposed, in the form of constitutional amendments, conditions of restoration both generous and just. I did not doubt, as expressed in my last annual message, their prompt acceptance, if the communities lately in rebellion were ready to accept the results of war, and return to the support of a government framed by our common fathers. This peace offering, which was promptly ratified by most of the loyal States, was rejected with scorn by the rebels.

They thus put it beyond all question that they were yet animated by the spirit of the rebellion. It is equally clear that there could be no restoration, so far as the issue depended on their voice, except on terms involving the abandonment of the unprotected Southern Unionists, and the abject surrender by Congress of increased political power in the government, to disloyal persons, as a reward for their attempts to overthrow it. This spirit was inflamed by encouragement received from official quarters, until the last, the scenes at Fort Pillow were re-enacted at Memphis and New Orleans, in the butchery of unarmed Union men, under the shadow of the federal flag. This method of reconstruction being thus closed, Congress availed itself of the only remaining opening to an early and peaceful re-establishment of these States.

It is well known that there was a large body of Union electors distributed throughout the South, consisting of those who were never in sympathy with the rebellion, and of those who, though numbered with the insurgents, were ready to accept the results of war and to return to their old allegiance. These were, however, mainly powerless, because they were largely outnumbered by those with whom they shared the

•privilege of access to the polls. There was also a large body of men, composing two-fifths of the whole population, born on the same soil, equally true to the Government, and equally powerless, because they were disfranchised. If these two classes were allowed to act together in the use of the rights of our common manhood, it will be seen that the only obstacle was peaceably removed; as together, they outnumbered the rebel electors who prevented the work of reconstruction. Therefore the question to be determined by Congress was not one of abstract theory, as to the highest qualifications for a wise exercise of political rights. The question in this case, was one of practical statesmanship, in view of the actual condition of the country, and the importance of early and complete reunion. The end to be accomplished involved the peace, the honor, and the interests of the republic. It was essential to the return of order, the removal of military authority, and the renewal of commercial prosperity to the States which had been the theatre of war. It promised to secure our future unity and repose; settle our public credit on firm and just foundations, and enable the insurgents to repair the waste of war, and to bear their share of the common burden, which their crime had brought upon the country. Under their pretended State organizations, the local offices were filled by those who defied the authority of the Nation, and who had refused to take the oath of allegiance required of every legislative, executive and judicial officer in all the States of the Union, by the sixth article of the Federal Constitution.

The loyal portion of the population was for reunion on any acceptable basis, and giving assurance of the future security and repose. On the other side, the disloyal, emboldened by new hopes, were arrayed in hostility to the people of the Union. Would it have been wise, let me ask, on the part of Congress, to make these men the arbiters of reconstruction? Should we have reconstructed the insurgents into a privileged class, and disfranchised the loyal population, for the benefit of the rebel minority? Should we have delivered over the white Unionists to the mercy of the enemies, by whom they were pursued and oppressed? Should we have remanded to a condition of serfdom the whole body of the colored race, who became, by the terms of the amended Constitution, entitled like ourselves to the immunities of free citizens? In a word, should we have rejected the aid of those who had proved their loyalty and love of liberty, by befriending our armies at the peril of their lives, and by fighting in our ranks when victory brought no promotion to them, and when the captive could look only for slavery or death? To questions like these there could be but one response from the representatives of the loyal people.

The work of reconstruction has progressed, though for a time slowly. Constitutions have been framed, so liberal and just in their provisions as to extort commendation even from rebel generals. Those who were arrayed against the government are coming over to its support. The return of liberal institutions, it is gratifying to note, is welcomed in States exhausted by war; and unless new obstacles are interposed to delay it, we have every reason to believe that the work of restoration is on the eve of final success. While, then, we deeply deplore the loss of life and the desolations of this sad war, let us rejoice, in that it has resulted in the recognition of civil liberty as the common heritage of humanity, and in the establishment of equality of right before the law, as a fundamental principle of free government. I do not overstate the patriotism of the people in the remark, that they were never more united than now, in the purpose to hold what has thus been achieved, as the

unlooked for results of a causeless and bloody rebellion for the establishment of slave empire and the destruction of the American Union.

I am aware that the obstacles interposed in the way of reconstruction, have naturally tended to withdraw the attention of the people and their representatives from other matters of vital and general interest to us all. Questions affecting the condition of the currency, the volume of debt, the measure of taxation, and the rigid and systematic retrenchment of all our expenditures, come home to every household.

I appreciate the responsible duties which devolve upon you individually and collectively, as well in council as in legislation, and I need not assure you of my hearty co-operation in all that may tend to the honor and interest of the States, and to our common prosperity as a people.

REUBEN E. FENTON.

Mr. Williams, from the committee appointed to wait upon the Honorable the Assembly and inform that Body that the Senate was organized and ready to proceed to business, reported that they had discharged that duty.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to repeal the Metropolitan excise law.

Mr. Nicks gave notice that he would, on some future day, ask leave to introduce a bill to provide for the protection of property navigating the canal at the head and foot of Seneca lake, and for other purposes.

Mr. Murphy gave notice that he would, on some future day, ask leave too introduce a bill to lay out, open, and grade Second and Fourth avenues, in the town of New Utrecht.

Mr. Stanford gave notice that he would, on some future day, ask leave to introduce a bill to rescind and declare void all repair contracts of the canals of this State, and work, repairs or dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28th, 1866, on which contracts were subsequently let, and to provide for the collection of all sums of money paid thereon beyond a fair compensation for the work actually performed under said contracts.

Also, an act for the preservation of the canals of this State, and the abolition of the contract system for repairs.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to create a harbor district and a board of wharves and piers thereon.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill in relation to the powers of the recorder and city judge of New York.

Mr. Nichols gave notice that he would, on some future day, ask leave to introduce a bill to authorize "The Wolstenbolm File Manufacturing company," to change its name.

Mr. Kennedy gave notice that he would, on some future day, ask leave to introduce a bill to construct a bridge across the outlet, constructed by the State, of the Onondaga lake.

Mr. Folger offered the following resolution:

*Resolved*, That the use of the Senate chamber be granted to the organization known as the Grand Army of the Republic, for this evening.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford presented a petition of the Shipman Spring and Axle company, for authority to mortgage their real and personal estate; which was read and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize 'The Shipman Spring and

Axlé company,' to mortgage its property;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Messrs. Clark and Pitts, a committee from the Assembly, appeared in the Senate and announced that the Assembly was organized and ready to proceed to business.

Mr. Tweed presented the annual report of the Commissioners of Public Charities and Corrections, of the city of New York, for the year 1867; which was laid on the table and ordered printed.

(See Doc. No. 6.)

On motion of Mr. Creamer, the Senate adjourned.

### WEDNESDAY, JANUARY 8, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Morris presented a petition of the Westfield and Portland Union Cemetery Association, to confirm their title to certain lands in Westfield, and for other purposes; which was read and referred to the committee on the judiciary.

Mr. Hale presented resolutions of the board of supervisors of Essex county, relative to costs in relation to special road district; which was read and referred to the committee on roads and bridges.

The President presented the annual report of the Comptroller; which was laid on the table and ordered printed.

(See Doc. No. 3.)

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, Jan. 7, 1868.

*Resolved*, (if the Senate concur,) That when the Legislature adjourn to-morrow, it adjourn to meet on Monday next, at 7½ o'clock P. M.

By unanimous consent, the rule was suspended.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

Mr. Morris gave notice that he would, on some future day, ask leave to introduce a bill to confirm the title to certain lands in Westfield, Chautauqua county, known as the "Westfield and Portland Union Cemetery Association," and for other purposes.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill to arrange the boundaries of the towns of Middletown and Southfield, in the county of Richmond.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to authorize certain State officers to adjudicate and settle claims of the people of the State of New York against the county of Westchester, growing out of the defalcation of a late county treasurer.

Also, a bill to amend an act entitled "An act to create a board of trustees for the town of Morrisania, and define their powers."

In pursuance of previous notice, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to rescind and declare void

all repair contracts of the canals of the State, and work, repairs or dredging of the Albany basin, for which proposals were received by the Contracting Board, December 28, 1866, on which contracts were subsequently let, and to provide for the collection of all sums of money paid thereon beyond a fair compensation for the work actually performed under said contract;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act for the preservation of the canals of this State, and the abolition of the contract system for repairs;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Cayler, Cortland county;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the rebuilding of a bridge across the outlet made by the State of the Onondaga lake;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to change the name of 'The Wolstenholme File Manufacturing company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Banks offered the following resolution:

*Resolved*, That the Clerk of the Senate be directed to invite the clergymen of the cities of Albany and Troy, having charge of religious congregations, to open the daily sittings of the Senate with prayer, and to attend in such order as shall best suit their convenience.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Palmer offered the following resolution:

*Resolved*, That there be printed of the annual message of His Excellency the Governor, 500 copies for the use of the Senate, and 500 on fine paper for the use of the Governor.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Stanford, the Senate resolved itself into committee of the whole, and proceeded to consideration of bill entitled as follows:

"An act to authorize the Shipman Springs and Axle Company to mortgage its property."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Stanford and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to



the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Beach	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman				

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## FOR THE NEGATIVE.

Folger 1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed moved that the Senate take a recess until 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

## TWELVE O'CLOCK, M.

The Senate again met and went into executive session, and after some time spent therein, the doors were opened.

On motion of Mr. Humphrey, the Senate adjourned.

## THURSDAY, JANUARY 9, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Morgan presented a memorial of the representative committee of the Genesee Yearly Meeting of Friends, asking for further legislation to prevent the practice of carrying concealed weapons; which was read and referred to the committee on the judiciary.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds, and fresh water fish,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the electors of school district number seven, in the towns of Ridgeway and Shelby, Orleans county, to elect trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy gave notice that he would, on some future day, ask leave to introduce a bill to enable any life insurance, trust or loan company, or savings bank, to invest their means in certain town bonds.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to repeal an act entitled "An act to amend an act entitled 'An act to establish a Metropolitan police district and to provide for the government thereof, passed April 10, 1860,' so far as the

same relates to the towns of Newtown, Flushing and Jamaica, in the county of Queens."

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to provide for the rebuilding of Washington Market.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Clinton Savings Bank, of the city of New York.

Also, a bill to authorize the comptroller of the city of New York to raise one million dollars for the relief of the poor of the city of New York.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Householders' Mutual Savings Bank, of the city of New York.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend title 5, chapter 1, part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to incorporate the Jerauld Institute, of Niagara Falls, for the education of young ladies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to repeal the several acts authorizing the establishment and support of a jail or lock-up, in each of the villages of Cohoes and West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to change the boundaries of the towns of Middletown and Southfield, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to legalize the acts of the Portland and Westfield Burying Ground Society, and to confirm the title to certain lands in the trustees of 'The Union Cemetery, of Westfield and Portland, Chautauqua county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hale offered the following preamble and resolution:

*Whereas*, By an act of the Legislature of this State, passed July 1st, 1851, the Northern Railroad Company was authorized to extend its pier at Rouse's Point, on Lake Champlain, on condition that a space of at least two hundred and fifty feet should be left free for the passage of vessels between said pier and the pier upon the opposite side of the channel, in the State of Vermont.

*And whereas*, In May, 1867, a law was approved, which had been enacted by the Congress of the United States, making the bridge and piers across Lake Champlain, at Rouse's Point, a post route, and granting special privileges to the railroads owning the said bridge and piers, and permitting them to maintain piers and a draw-bridge, leaving an opening of only about ninety feet on one side, and only about sixty feet on the other.

*And whereas,* The said piers and bridge, as now constructed and maintained under the authority of said act of Congress, greatly obstruct, delay, and otherwise injure commerce and navigation between the St. Lawrence and Hudson rivers, by way of Lake Champlain and the rivers and canals connecting therewith.

*Therefore, resolved,* (if the Assembly concur,) That our Senators in Congress be instructed, and the Representatives of the State in Congress be requested to use their influence to procure a repeal of the act of Congress above mentioned, or such a modification of said act as will secure for the purposes of lake navigation, an open space of at least two hundred and fifty feet between the ends of the piers constructed on the opposite side of Lake Champlain, at or near Rouse's Point.

*Ordered,* That said resolution be laid on the table.

Mr. Folger offered the following resolution:

*Resolved,* That there be printed of the annual report of the Comptroller, 1,500 copies for the use of the Senate, and 500 for the use of the Comptroller.

*Ordered,* That said resolution be referred to the committee on public printing.

The President announced the following as the standing committees of the Senate, for the year 1868:

*Finance.*

O'Donnell,  
Humphrey,

Folger,  
Murphy,

Tweed.

*Judiciary.*

Folger,  
Williams,

Hale,  
Murphy,

Morris.

*Canals.*

Stanford,  
Nicks,

Mattoon,  
Thayer,

Nichols.

*Claims.*

Hale,

Chapman,

Edwards.

*Railroads.*

Campbell,  
Parker,

Morgan,  
Genet,

Graham.

*Charitable and Religious Societies.*

Palmer,

Crowley,

Tweed.

*State Prisons.*

Williams,

Hale,

Cauldwell.

*Internal Affairs of Towns and Counties.*

Van Petten,

Campbell,

Tweed.

*Poor Laws.*

Nicks,

Campbell,

Beach.

*Engrossed Bills.*

Morgan,  
Van Petten,

Nicks,  
Hubbard,

Creamer.

*Indian Affairs.*

Morgan,

Kennedy,

Genet.

<i>Commerce and Navigation.</i>		
Humphrey,	Stanford,	Pierce.
<i>Agriculture.</i>		
Campbell,	Palmer,	Edwards.
<i>Literature.</i>		
Chapman,	Van Petten,	Morris.
<i>Militia.</i>		
Van Petten,	Morgan,	Beach.
<i>Roads and Bridges.</i>		
Nicks,	Chapman,	Beach.
<i>Grievances.</i>		
Hale,	Folger,	Creamer.
<i>Banks.</i>		
Palmer,	Humphrey,	Graham.
<i>Insurance.</i>		
Parker,	Stanford,	Bradley.
<i>Privileges and Elections.</i>		
Kennedy,	O'Donnell,	Bradley.
<i>Manufactures.</i>		
Thayer,	Crowley,	Norton.
<i>Retrenchment.</i>		
Williams,	Stanford,	Pierce.
<i>Public Buildings.</i>		
Mattoon,	Thayer,	Banks.
<i>Erection and Division of Towns and Counties.</i>		
Chapman,	Crowley,	Hubbard.
<i>Public Expenditures.</i>		
Thayer,	Parker,	Norton.
<i>Municipal Affairs.</i>		
Crowley, Palmer,	Kennedy, Creamer,	Banks.
<i>Public Health.</i>		
Parker,	O'Donnell	Genet.
<i>Printing.</i>		
Mattoon,	O'Donnell,	Cauldwell.
<i>Salt.</i>		
Kennedy,	Mattoon,	Bradley.
<i>Joint Library.</i>		
Humphrey,	Banks,	Nichols.
<i>Rules.</i>		
Folger,	Williams,	Murphy.

Mr. Creamer moved to reconsider the vote had yesterday upon concurrent resolution from the Assembly, in the words following:

IN ASSEMBLY, Jan. 7, 1868

*Resolved*, (if the Senate concur,) That when the Legislature adjourns to-morrow, it adjourn to meet on Monday next, at half-past seven o'clock P. M.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Norton moved to amend said resolution by striking out the "to-morrow" and inserting in lieu thereof the word "to-day," strike out "Monday, at half-past seven P. M.," and insert "Tuesday next, at 11 o'clock A. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate had concurred in the passage of the same, with amendments.

Mr. Van Petten called for the consideration of the resolution in the words following:

*Resolved*, That Wm. S. Van Valkenburgh be and he is hereby appointed Assistant Doorkeeper of the Senate.

The President put the question whether the Senate would agree to said resolution from the table, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer moved that the Senate take a recess for twenty minutes.

The President then put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

#### ELEVEN O'CLOCK AND FORTY-FIVE MINUTES A. M.

The Senate again met.

The Assembly returned the concurrent resolution relative to adjournment, with a message that they had concurred in the amendment to the Senate thereto.

The Clerk announced the following appointments:

Charles R. Dayton, of Suffolk county, Journal Clerk. Deputy Clerk: Henry A. Glidden, Orleans county; Edwin M. Johnson, Steuben county; Tirad H. Ferris, St. Lawrence county. Sylvanus C. Curran, Clerk of Bank Messenger. Librarian: Ferdinand De Wigne, Schenectady county. Assistant Librarian: Edward E. Brown, Lewis county; Librarian's Assistant: James D. Burdick.

On motion of Mr. Beach, the Senate adjourned.

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#### TUESDAY, JANUARY 14, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bailey.

The journal of Thursday was read and approved.

Mr. Folger presented a memorial of supervisors of Yates county for repeal of so much of the militia law as gives exemption from tax which was read and referred to the committee on militia.

Also, a petition of 142 citizens of Geneva, for the improvement of the harbor at Geneva and Watkins, and Seneca river, which was read and referred to the committee on canals.

Mr. Murphy presented a petition of citizens of New Lots, Kings Co., for the incorporation of the East New York Savings Bank, which was read and referred to the committee on banks.

Also, a petition of the Manhattan Railway Company, for an underground railway in the city of New York, which was read and referred to the committee on railroads.

Mr. Kennedy presented a petition for an act authorizing the appointment of a stenographer for the Onondaga county court, and court of sessions, which was read and referred to the committee on the judiciary.

Also, a petition for an act for the election of an additional justice of the peace in Syracuse, which was read and referred to the committee on the judiciary.

Mr. Van Petten presented a remonstrance of citizens of Fairfield, Herkimer county, against the repeal of the present Metropolitan excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Morgan presented the annual report of the Managers of the Western House of Refuge, which was laid on the table and ordered printed.

(See Doc. No. 7.)

Mr. Morgan moved that 2,000 copies of said report be printed for the use of the Managers of said Institution.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Folger gave notice that he would, on some future day, ask leave to introduce a bill to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company.

Mr. Humphrey gave notice that he would, on some future day, ask leave to introduce a bill relative to reopening and maintaining a ditch situated on the east side of and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston.

Mr. Morgan gave notice that he would, on some future day, ask leave to introduce a bill to authorize the Treasurer of the State of New York to pay certain moneys to the city of Rochester.

Mr. Kennedy gave notice that he would, on some future day, ask leave to introduce a bill relative to the Normal school in Cortland.

Mr. Mattoon gave notice that he would, on some future day, ask leave to introduce a bill to authorize the construction of a suspension bridge across the Hudson river, at some point or points on said river between Verplank's and Buttermilk Falls.

Also, a bill to make appropriation for deficiencies in existing appropriation to meet existing claims and demands against the State.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill in relation to the distribution of moneys reimbursing the several towns of Suffolk county, for excess of years, provided by chapter 29, Laws of 1865.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the message of the Governor, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the annual message of His Excellency the Governor, 500 copies for the use of the Senate, and 500 on fine paper for the use of the Governor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Comptroller, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the annual report of the Comptroller, 1,500 copies for the use of the Senate, and 500 copies for the use of the Comptroller.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill to except the city and county of Albany from the operation of the act to suppress intemperance, &c., passed April 16, 1857.

Mr. Tweed gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the City Savings Bank, of New York.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Sixth Avenue Savings Bank, in the city of New York.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania, passed May 2, 1863."

Also, a bill to amend an act entitled "An act to incorporate the Morrisania Savings Bank, passed May 1, 1865."

Mr. Murphy gave notice that he would, on some future day, ask leave to introduce a bill to authorize the board of education of school district No. 2, New Lots, to raise money to build school house.

Also, a bill to enable executors and administrators of the estates of deceased persons, appointed in other States, to maintain actions in this State.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill to incorporate National Savings Bank, in the city of Albany.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York Elevator Company.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing the employment of a stenographer in the county court, and court of sessions, Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act in relation to the Fifth Ward Railroad Company, in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the election of an additional justice of the peace in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act authorizing certain State officers to adjudicate and settle the claims of the people of the State of New York against the county of Westchester, growing out of the defalcations of a late treasurer of said county," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers, passed April 22, 1864,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a draw or swing-bridge over the Chenango canal, in the city of Binghamton, at its intersection with Hawley street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a draw or swing-bridge over the Chenango canal, at the city of Binghamton, at its intersection with Henry street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to regulate the sale of ales, wines, and spirituous liquors, in the Metropolitan Police District of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to amend an act entitled 'An act to establish a Metropolitan Police District, and to provide for the government thereof, passed April 10, 1860,' so far as the same relates to the towns of Newtown, Flushing and Jamaica, in the county of Queens,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Hale called for the consideration of the resolution heretofore offered by him, as follows:

*Whereas*, By an act of the Legislature of this State, passed July 1st, 1851, the Northern Railroad Company was authorized to extend its pier at Rouse's Point, on Lake Champlain, on condition that a space of at least two hundred and fifty feet should be left free for the passage of vessels between said pier and the pier upon the opposite side of the channel, in the State of Vermont.

*And whereas*, In May, 1867, a law was approved which had been enacted by the Congress of the United States, making the bridge and piers across Lake Champlain, at Rouse's Point, a post route, and granting special privileges to the railroads owning the said bridge and piers, and permitting them to maintain piers and a draw-bridge, leaving an opening of only about ninety feet on one side, and only about sixty feet on the other.



*And whereas,* The said piers and bridges, as now constructed and maintained under the authority of said act of Congress, greatly obstruct, delay, and otherwise injure commerce and navigation between the St. Lawrence and Hudson rivers, by way of Lake Champlain and the rivers and canals connecting therewith.

*Therefore, resolved,* (if the Assembly concur,) That our Senators in Congress be instructed, and that our Representatives of the State in Congress be requested to use their influence to procure a repeal of the act of Congress above mentioned, or such a modification of said act as will secure for the purposes of lake navigation, an open space of at least two hundred and fifty feet between the ends of the piers constructed on the opposite sides of Lake Champlain, at or near Rouse's Point.

Mr. Parker moved that said resolution be referred to the committee on commerce and navigation.

Mr. Williams moved to lay upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative.

Mr. Mattoon offered the following resolution:

*Resolved,* That the Clerk be instructed to supply the new Senators one copy each of the Red Book of 1867.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

*Resolved,* That the use of the Senate Library be and the same is hereby respectfully tendered to the Convention to revise and amend the Constitution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley offered the following resolution:

*Resolved,* That the Clerk of the Senate make the usual arrangements for the payment of postage on all papers received and sent out by Senators; also on all public documents sent out by Senators and officers during the session—the postage upon any one document not to exceed twenty-five cents; and also to send by express any document costing over twenty-five cents.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Humphrey offered the following resolution:

*Resolved,* That a respectful message be sent to the Honorable the Assembly requesting that Body to transmit to the Senate the papers on file relative to maintaining a State ditch in the towns of Groveland and West Sparta, in the county of Livingston, and that when received they be referred to the committee on canals.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nichols offered the following resolution:

*Resolved,* That a select committee of three be appointed by the President to inquire and report what legislation, if any, is required to insure a greater degree of safety to railway travel, with power to send for persons and papers.

Mr. Folger moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to

amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to authorize the transportation of passengers in the city of New York, by means of street railways to be constructed through certain streets and avenues therein.

Also, an act to authorize the Mariposa Company to issue a first preferred stock.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill in relation to the New York Mutual Gas Light Company, incorporated by an act entitled "An act to incorporate the New York Mutual Gas Light Company, passed April 17, 1866."

Also, a bill to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues in the city of New York.

Also, a bill to incorporate the New York Underground Railway Company.

By unanimous consent, the Senate resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts for the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867."

After some time spent therein, the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of the same, without amendment, which report was agreed to.

By unanimous consent, Mr. Parker moved that said bill be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Williams and by unanimous consent, said bill was amended by inserting in section 1, after the word "Oswego," the word "Wayne."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Norton	Tayer
Campbell	Crowley	Mattoon	O'Donnell	Tweed
Cauldwell	Edwards	Morgan	Parker	Van Petten
Chapman	Humphrey	Nichols	Pierce	Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the same, with an amendment.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to authorize the Metropolitan Transit Railroad Company, to construct certain roads in the city of New York.

Mr. Van Petten gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Forestport Railroad Company.

Mr. Tweed gave notice that he would, on some future day, ask leave

to introduce a bill to incorporate the Oriental Savings Institution of New York city.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to prevent gas companies from charging rent for meters in the city of New York.

On motion of Mr. O'Donnell, the Senate adjourned.

### WEDNESDAY, JANUARY 15, 1868.

The Senate met pursuant to adjournment,

The journal of yesterday was read and approved.

In the absence of the President, the Senate was called to order by the Clerk.

Mr. Murphy offered the following resolution:

*Resolved*, That Hon. Charles J. Folger be and he is hereby appointed President *pro tem.* of the Senate for this session.

The Clerk put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Prayer by Rev. Dr. Wyckoff.

Mr. Parker offered the following resolution:

*Resolved*, That a committee of two be appointed to wait upon the Honorable the Assembly, and inform that Body of the election of the Hon. Charles J. Folger as President *pro tem.* of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Messrs. Parker and Hubbard were appointed as such committee.

Mr. Parker presented resolutions of electors of the village of Potsdam, asking authority to issue bonds and levy taxes to pay for Normal school site, which were read and referred to the committee on municipal affairs.

Mr. Chapman presented a petition for an act authorizing the Canal Commissioners to construct a bridge over the Chenango canal, at Hawley street, in the city of Binghamton, which was read and referred to the committee on canals.

Also, a petition for an act authorizing the Canal Commissioners to construct a bridge over the Chenango canal, at Henry street, in the city of Binghamton, which was read and referred to the committee on canals.

Mr. Crowley presented a petition of G. D. Wichterman and others for the construction of a ditch in Royalton, Niagara county, New York which was read and referred to the committee on the judiciary.

Also, a remonstrance of citizens of Niagara county, upon the same subject, which was read and referred to the committee on the judiciary.

Mr. Campbell presented a petition of the board of supervisors of the county of Oneida, to exempt said county from the operation of the law in relation to the fees of county treasurers, which was read and referred to the committee on the judiciary.

Also, a petition of supervisors of the city of Utica, to amend section of the act in relation to the collection of taxes in said city, which was read and referred to the committee on the judiciary.

Mr. Nichols presented a petition of Edmund H. Smith, to have certain surplus moneys arising on mortgage sale by Loan Commissioners, a

paid into the office of the Comptroller by mistake, refunded, which was read and referred to the committee on finance.

Mr. Murphy presented a petition of G. C. Verplanck, Henry C. Pierrepont and William H. Bell, on behalf of the General Theological Seminary of the Protestant Episcopal Church in the United States, for an amendment of its charter, which was read and referred to the committee on charitable and religious societies.

Mr. Crowley presented a petition of John Downing and others, for the construction of culverts from State ditch to Erie canal, in Pendleton, Niagara county, and for damages by heretofore flooding their farms with water, which was read and referred to the committee on canals.

Mr. Van Petten presented a petition of soldiers who enlisted in the United States military service after the State ceased paying bounty, praying for relief, which was read and referred to the committee on militia.

The Assembly sent for concurrence a resolution, in the words following :

IN ASSEMBLY, Jan. 14, 1868.

*Resolved*, (if the Senate concur,) That the Secretary of State furnish to each member of Assembly and Senator, one copy of the Convention Manual, prepared pursuant to chapter 194 of the Laws of 1867.

By order,

C. W. ARMSTRONG, *Clerk*.

*Ordered*, That said resolution be laid upon the table.

The President presented the following communication:

CONSTITUTIONAL CONVENTION, ALBANY, Jan. 14, 1868.

On motion of Mr. Alvord,

*Resolved*, That this Convention accept with thanks the use of the Library tendered by resolution of the Senate of this date.

By order of Convention.

LUTHER CALDWELL, *Secretary*.

Also, the following:

CONSTITUTIONAL CONVENTION, ALBANY Jan. 14, 1868.

*Resolved*, That the privileges of the floor are hereby extended to the Senators and members of Assembly of this State; also, to the members of the Common Council of the city of Albany.

By order of Convention.

LUTHER CALDWELL, *Secretary*.

Mr. Norton moved that said invitation be accepted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach gave notice that he would, on some future day, ask leave to introduce a bill to amend chapter 508 of the Laws of 1863, being an act in regard to notaries public.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill to facilitate the construction of the New York and Oswego Midland Railroad, and to amend the several acts in relation thereto.

Also, a bill to amend the 8th section of chapter 172 of the Laws of 1862, in relation to the rights and liabilities of husband and wife.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to amend the Military Code.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Union Safe Deposit Company.

Mr. Murphy gave notice that he would, on some future day, ask leave to introduce a bill to provide for the completion of the Wallabout improvement of the city of Brooklyn.

Mr. Edwards gave notice that he would, on some future day, ask

leave to introduce a bill to incorporate the village of Greenport, in Suffolk county.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill for the relief of the Franklin Insurance Company.

Mr. Parker gave notice that he would, on some future day, ask leave to introduce a bill to authorize Commissioners of the Circuit Courts of the United States, to take affidavits and acknowledgements.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the People's Metropolitan and Suburban Underground Railroad Company.

In pursuance of previous notice, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act in relation to reopening and maintaining a ditch, situated on the east side of and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act authorizing the Treasurer of the State of New York to pay certain moneys to the city of Rochester, for damages to various streets, caused by the overflowing of the canal bank in the said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to incorporate the Forestport Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to incorporate the Hudson Highland Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Veplanck's Point and Buttermilk Falls, on said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act for the relief of the poor of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act to increase the powers of the commissioners of excise, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to enable executors and administrators of the estates of deceased persons, appointed in other States

maintain actions in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act legalizing the conveyance of land to Thos. Owens, then an alien of Columbia county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Morrisania Savings Bank,' passed May 1, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing any Life Insurance Company, or any Trust or Loan Company, or Savings Bank, to invest their funds in the town bonds issued by the towns of Gardner, Shawangunk and New Paltz, in the county of Ulster, and the second election district of the town of Montgomery, Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Mattoon, from the committee on printing, to which was referred the resolution to print extra copies of the report of the Managers of the Western House of Refuge, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,500 copies of the annual report of the Managers of the Western House of Refuge, be printed for the use of the Managers of said Institution.

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer moved that the Senate resolve itself into a committee of the whole upon the bill entitled "An act for the relief of the poor of the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said entitled bill.

After some time spent therein, the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to.

On motion of Mr. Creamer and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols
Beach	Crowley	Humphrey	Norton
Cauldwell	Edwards	Kennedy	Palmer
Chapman	Hale	Morgan	Pierce

Stanford  
Thayer  
Tweed  
Van Patten

#### FOR THE NEGATIVE.

Folger

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach moved that the Senate take a recess until 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

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## TWELVE O'CLOCK, M.

The Senate again met and went into executive session, and after some time spent therein, the doors were opened and the Senate resumed legislative business.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act for the relief of the poor of the city of New York."

Mr. Mattoon moved that the committee on commerce and navigation be discharged from the further consideration of the bill entitled "An act to incorporate 'The Hudson Highland Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river," and that the same be referred to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the electors of school district No. 7, in the towns of Ridgeway and Shelby, Orleans county, to elect trustees," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Cauldwell offered the following resolution:

*Resolved*, That the Comptroller be requested to furnish the Senate committee on printing, a copy of the existing contract for printing documents, &c., ordered by the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Williams, the Senate adjourned.

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## THURSDAY, JANUARY 16, 1863.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Adelberg.

The journal of yesterday was read and approved.

Mr. Mattoon offered the following resolution:

*Resolved*, That a committee of two be appointed to wait upon His Excellency the Governor and inform him of the election of Hon. Charles J. Folger as President *pro tem.* of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Mattoon and Cauldwell.

Mr. Folger presented a memorial of trustees of Penn Yan, asking that

addition to village cemetery be included in corporate bounds, which was read and referred to the committee on municipal affairs.

Mr. Parker presented a petition of tax-payers of the village of Ogdensburgh, for an amendment of the laws relating to the public schools of said village, which was read and referred to the committee on literature.

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, Jan. 15, 1868.

*Resolved*, (if the Senate concur,) That our Senators in Congress be instructed and our Representatives requested to take such legislative action as will effectually secure to American citizens of foreign birth protection abroad.

*Resolved*, That the Clerk transmit a copy of the above resolution to each house of Congress.

Also, the following:

*Resolved*, (if the Senate concur,) That the Canal Board are hereby requested to reduce the tolls on all coal going west from tide water to one-tenth mill per ton.

*Resolved*, That the Clerk be and he hereby is directed to direct a copy of this resolution to the Honorable the Canal Board.

Also, the following:

*Resolved*, (if the Senate concur,) That the Senators and Members of Congress from this State be, and they are hereby requested to demand from the Executive, the protection of the United States Government to foreign born citizens while traveling in Europe, on pleasure or business, and insist on the immediate discharge of American citizens now confined in British dungeons without process of law.

Also, the following:

*Whereas*, Measures are now impending before Congress, the declared purpose of which is to extinguish ten States of the Union, and establish in their stead a military dictatorship in which the civil laws and public and personal liberty are to exist only at the will of the military power;

*And whereas*, The attempt is made to complete the scheme of usurpation by the degradation and subjection of the Federal Judiciary to the dictation of a Congressional faction;

*Resolved*, (if the Senate concur,) That the Representatives of New York here assembled, reflecting the will of the people of the State, in obedience to their oath to support the Constitution, hereby pronounce these acts of usurpation, treasonable, infamous, a crime against liberty and against the institutions of our fathers.

*Resolved*, (if the Senate concur,) That our Senators in Congress be instructed and our Representatives requested, not only to vote against such measures, but to oppose and seek to defeat them by all means in their power.

*Resolved*, That the Speaker cause to be transmitted to the President of the Senate, the Speaker of the House of Representatives, and to our Senators and Representatives in Congress, each a copy of these resolutions.

By order.

C. W. ARMSTRONG, Clerk.

*Ordered*, That said resolutions be laid on the table.

Mr. Kennedy gave notice that he would, on some future day ask leave to introduce a bill in aid of an act entitled "An act to provide for a Convention to revise and amend the Constitution, passed March 29, 1867," and to extend the provisions thereof.

Mr. Palmer gave notice that he would, on some future day, ask leave to introduce a bill to authorize the supervisor of the town of Copake, in the county of Columbia, to borrow money upon the credit of the town to



reimburse persons who were drafted in the military service of the States and who paid commutation therefor or furnished a substitute.

Also, a bill to legalize the conveyance of lands to Arthur O'Brien, an alien of Columbia county.

Mr. Chapman gave notice that he would, on some future day, leave to introduce a bill to amend the act entitled "An act to incorporate the city of Binghamton," passed April 9, 1867.

Mr. Edwards gave notice that he would, on some future day, leave to introduce a bill to extend the charter of the Greenport and Island Ferry Company, of Suffolk county.

Mr. Hubbard gave notice that he would, on some future day, leave to introduce a bill to amend the several acts heretofore passed relating to the village of Sherburne.

In pursuance of previous notice, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to define and limit the number of notaries public in the several counties of this State, and confer authority to take affidavits and acknowledgments,' " which was read the first time, and by unanimous consent also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the board of education of Union Free School District No. 10, of the town of New Lots, county, to raise money for the erection of a new school house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to lay out, open, and grade Second and Fourth avenues, in the town of New Utrecht," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to incorporate the National Savings Bank of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act for the relief of the Franklin Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to except the city and county of Albany from the operation of the act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857; and to regulate the sale of intoxicating liquors within the city and county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to legalize the official acts of S. Blodgett, a justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to the powers of the

recorder and city judge of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act amending the Military Code," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

Mr. O'Donnell offered the following resolution:

*Resolved*, (if the Assembly concur,) That the joint rules of the last Legislature be the joint rules for the present session until otherwise ordered, and that the same be referred to the committee on rules of each House, for revision.

*Ordered*, That said resolution be laid on the table.

Mr. Kennedy offered the following preamble and resolutions:

*Whereas*, It has been made to appear by certain proceedings heretofore had before a committee appointed by the last Senate, although such proceedings have not been officially announced to this Body, that there is reason to believe that certain contracts entered into between the Contracting Board, representing the State, and individuals, to keep in repair certain portions of the canals of this State, and especially that those contracts which were awarded for that purpose at the canal lettings of December 28th, 1866, including a contract for bottoming out the Albany Basin, were procured by fraud and evil practices;

*Therefore, resolved*, (if the Assembly concur,) That the Attorney-General be and he is hereby directed to institute such legal proceedings, on behalf of the State, as in his judgment shall be proper, to test the validity of said contracts, or any contracts for repairs on any of the canals of this State, to the end that if the same were or either of them was procured by fraud or evil practices, that fact may be judicially determined and said contracts set aside and vacated, and the State thereby relieved from liability thereon.

*Resolved*, (if the Assembly concur,) That the said the Attorney-General, be and he is hereby requested to report to this Body what action, if any, is necessary on its part to enable him to carry out the true intent and meaning of the foregoing resolution.

*Ordered*, That said resolutions be laid on the table.

Mr. Crowley offered the following resolution:

*Resolved*, That the committees on judiciary, finance, claims, internal affairs of towns and counties, municipal affairs, railroads, canals, engrossed bills, and commerce and navigation, be each authorized to employ a clerk.

Mr. Palmer moved to amend, that the Clerk of the committee on commerce and navigation, also act as clerk to committee on banks.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

Mr. Murphy moved that said resolution be referred to a select committee.

Mr. O'Donnell moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

Mr. O'Donnell moved to reconsider the vote had upon the final passage of the bill entitled "An act for the relief of the poor of the city of New York," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act to authorize the electors of school district No. 7, of towns of Ridgeway and Shelby, Orleans county, to elect trustees."

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to.

On motion of Mr. Crowley and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Campbell	Edwards	Kennedy	Norton	Stanford
Cauldwell	Folger	Mattoon	O'Donnell	Thayer
Chapman	Graham	Morgan	Palmer	Van Petten
Creamer	Hale	Murphy	Parker	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867."

*Ordered*, That the Clerk return said bill to the Assembly.

On motion of Mr. Crowley, the Senate adjourned.

FRIDAY, JANUARY 17, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Alden.

The journal of yesterday was read and approved.

Mr. Palmer presented a petition of the trustees of Hudson City Savings Bank, for the amendment of the charter of said institution, so as to enable them to invest in town bonds, which was read and referred to the committee on banks.

Mr. Parker presented two remonstrances of A. B. James and others, against resolutions which propose to interfere with Rouse's Point bridge, which were read and referred to the committee on commerce and navigation.

The President presented a communication from the Comptroller, transmitting a copy of the existing contract for legislative printing, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Forestport railroad," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the People's Railroad Company, and to authorize the construction and use of a railroad in certain streets and avenues in the city of New York, and to regulate the same.

A message from His Excellency the Governor, through his private Secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, January 16, 1868. }

*To the Senate:* I respectfully transmit a communication from General U. S. Grant, late Secretary of War *ad interim*, suggesting the passage of an act ceding to the United States jurisdiction for military purposes over certain land in the harbor of New York, known as David's Island.

R. E. FENTON.

*Ordered,* That said communication be laid on the table and printed.

(See Doc. No. 9.)

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Consolidated Express.

Mr. Graham gave notice that he would, on some future day, ask leave to introduce a bill in relation to the Wallkill Valley Railroad Company.

Also, a bill in relation to draining swamp lands in the town of Wallkill.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to incorporate the Union Safe Deposit Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act legalizing the conveyance of land to Arthur Owens, an alien of Columbia county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to create a harbor district, and a board of wharves and piers therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Underground Railway Company, and to authorize the said company to construct certain underground railways in the city of New York, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act making appropriations for deficiencies in existing canal appropriations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Williams asked and obtained

leave to introduce a bill entitled "An act ceding jurisdiction to the United States of David's Island," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to revive, continue, and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend the several acts heretofore passed relating to the village of Sherburne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Parker asked and obtained leave to introduce a bill entitled "An act authorizing Commissioners of the Circuit Courts of the United States to take affidavits and acknowledgments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to confirm the official acts of James Sheldon as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to incorporate the Consolidated Express," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Palmer offered the following resolution:

*Resolved*, That when the Senate adjourn to-day, it adjourn to meet on Monday evening next, at 7 o'clock p. m.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell moved that the committee on railroads be discharged from the further consideration of the bill entitled as follows:

"An act to incorporate the Hudson Highland Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parker moved that said bill be referred to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Crowley, the Senate adjourned.

## MONDAY, JANUARY 20, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of Friday was read and approved.

Mr. Humphrey presented a petition of citizens of Pike, Wyoming county, for amendment of assessment laws, so as to exempt widows of ministers of the gospel from payment of taxes, which was read and referred to the committee on the judiciary.

Mr. Campbell presented a petition of directors of the Utica and Waterville Railroad Company, for change of name, which was read and referred to the committee on railroads.

Mr. Cauldwell presented a petition of Nathan B. Houghtman and 400 others, in favor of an act to enable the Harlem Bridge, Morrisania, and Fordham Railway Company to extend its track, which was read and referred to the committee on railroads.

Mr. Kennedy presented a petition of citizens of Syracuse, for the removal of coarse salt fields, which was read and referred to the committee on manufacture of salt.

Mr. Van Petten presented a petition of discharged soldiers of the town of Columbia, county of Herkimer, for additional bounty, which was read and referred to the committee on finance.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, Jan. 17, 1868.

*Resolved*, That a respectful message be sent to the Honorable the Senate, requesting it to transmit to this House the papers, maps, &c., on its files, relative to the claim of Bracket H. Clark and others for canal damages, and that when received they be referred to the standing committee on claims.

By order.

C. W. ARMSTRONG, Clerk.

*Ordered*, That the Clerk deliver said papers to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of the poor of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 494 of the Laws of 1859, entitled 'An act to amend the laws of the county of Herkimer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to extend the powers of the French Benevolent Society, and amend chapter 211 of the Laws of 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Campbell gave notice that he would, on some future day, ask leave to introduce a bill to equalize the taxation of real and personal property.

Mr. Thayer gave notice that he would, on some future day, ask leave to introduce a bill in relation to the practice of physic and surgery.

Mr. Cauldwell gave notice that he would, on some future day, ask

leave to introduce a bill to amend an act in relation to the sale of lands for taxes in Westchester county.

Also, a bill to establish the office of receiver of taxes and assessments in the town of Westchester, in the county of Westchester, New York.

In pursuance of previous notice, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to authorize the supervisor of the town of Copake, Columbia county, to borrow money upon the credit of the town to reimburse persons who were drafted in the military service of the United States, and who paid commutation therefor or furnished a substitute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Clinton Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Mechanics' Savings Bank of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

On motion of Mr. Humphrey, the Senate adjourned.

## TUESDAY, JANUARY 21, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bridgman.

The journal of yesterday was read and approved.

Mr. Bradley presented a petition of citizens of New York, asking for the passage of an act to incorporate the People's Metropolitan and Suburban Underground Railroad Company, which was read and referred to the committee on railroads.

Mr. Parker presented a remonstrance of over seventy citizens of Malone, Franklin county, against interfering with Rouse's Point bridge, as now established, which was read and referred to the committee on commerce and navigation.

Also, a petition of tax-payers of Clinton, St. Lawrence county, for an amendment of the laws relating to the collection of taxes in said town, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Folger presented a petition of John Edwards, for damage done him by loss of team falling through canal bridge at Higginsville, July 16, 1867, which was read and referred to the committee on claims.

Mr. Morgan presented a petition of E. Darwin Smith, H. R. Selden, Addison Gardiner, L. Farrar, Alfred Ely, Roswell Hart, Burr Spencer,

Thomas Parsons, and 159 others, of Rochester, asking for the construction of a swing bridge across the Erie canal at Exchange street, in the city of Rochester, which was read and referred to the committee on canals.

Mr. Cauldwell presented a petition from citizens of New York, asking for the passage of an act to incorporate the People's Metropolitan and Suburban Underground Railway Company, which was read and referred to the committee on railroads.

Also, a petition of judges of the Supreme Court of the second judicial district, to fix place for holding courts in the county of Westchester, which was read and referred to the committee on the judiciary.

Also, a petition of Abraham Hatfield and others, in favor of an act creating the office of receiver of taxes in the town of Westchester, which was read and referred to the committee on internal affairs of towns and counties.

The President presented a special report of the Superintendent of the Banking Department, on savings banks, pursuant to a joint resolution of the Senate and Assembly, adopted at the last session of the Legislature.

*(See Ass. Doc. No. 5.)*

The Assembly sent for concurrence the bill entitled as follows:

"An act authorizing the trustees of the First Methodist Episcopal Society of Lima, Livingston county, to raise money upon its pews and sittings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Palmer gave notice that he would, on some future day, ask leave to introduce a bill to regulate the ferries in the Metropolitan police district.

Mr. Chapman gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act to incorporate the Chenango Valley Savings Bank."

Mr. Tweed gave notice that he would, on some future day, ask leave to introduce a bill to construct a bridge across the Hudson river at Albany.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to empower the board of supervisors of the county of Westchester, to require the collectors of the different towns in that county to pay over taxes at stated times.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to authorize the construction of a tunnel under the East river.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the People's Railroad Company, and to authorize the construction and use of a railroad in certain streets and avenues in the city of New York, and to regulate the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act to equalize the taxation of real and personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to provide for raising money by tax annually in the county of New York, for the support of the county govern-



ment, and the corporation of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish a free school in school district No. 1, in the towns of Little Falls and Manheim, Herkimer county,' passed March 22d, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to establish the office of receiver of taxes and assessments in the town of Westchester, in the county of Westchester, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860; and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Long Island Tunnel and Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for a Convention to revise and amend the Constitution,' passed March 29, 1867; and to extend the provisions of said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act in relation to the Normal school at Cortland, and confirming the action of the trustees in reference thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to requiring deposits from gas consumers in the city of New York, before supplying gas meters by the several gas companies in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Elevator Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act in relation to the practice of physic and surgery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Tontine Association of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennedy offered the following resolution:

*Resolved*, That there be printed 300 copies of the list of Senate and Assembly committees, in one document, for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Nichols offered the following resolution:

*Resolved*, That 100 copies of the annual report to the Governor of the Board of Commissioners of the Niagara Frontier Police District, be printed for the use of said board.

*Ordered*, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bill entitled as follows:

"An act to incorporate the 'Forestport Railroad Company.'"

After some time spent therein, the President resumed the chair, and Mr. Murphy, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cauldwell offered the following resolution:

*Resolved*, That the papers and petitions on file relative to the Metropolitan Transit Railway Company, be taken from the files and referred to the committee on railroads.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Morgan,

*Resolved*, That the papers on file relative to the construction of a swing bridge across the Erie canal, at Exchange street, in the city of Rochester, be taken therefrom and referred to the committee on canals.

On motion of Mr. Palmer, the Senate adjourned.

### WEDNESDAY, JANUARY 22, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Mr. Parker presented a remonstrance of David C. Judson of Ogdensburg, and 250 others, against joint resolutions which propose to interfere with bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Also, a petition asking an extension of the boundaries of Potsdam village, which was read and referred to the committee on municipal affairs.

Also, a remonstrance of citizens of Franklin county, against joint resolutions interfering with Rouse's Point bridge, which was read and referred to the committee on commerce and navigation.

Mr. Campbell, from the committee on railroads, to which was referred the petition of the Utica and Waterville Railroad Company for a change of name, reported by bill entitled "An act to authorize the Utica and Waterville Railroad Company to change its name," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 394 of the Laws of 1859, entitled 'An act to amend the poor laws of the county of Herkimer,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to incorporate the 'Forestport Railroad Company.'"

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend 'An act to incorporate the city of Binghamton,' passed April 9, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Cauldwell, from the committee on public printing, to which was referred the resolution to print extra copies of the list of the Senate and Assembly committees, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed 300 copies of the list of Senate and Assembly committees in one document, for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Williams presented a petition of the trustees and citizens of the village of Newark, for an act in regard to the cemetery grounds in said village, which was read and referred to the committee on the judiciary.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to authorize the board of education of district No. 2, of New Lots, to raise money for the purpose of erecting a school house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Fifth Ward Railroad Company, in Syracuse," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented a report of the select committee appointed at the last session of the Legislature to investigate canal frauds, which was laid on the table and ordered printed.

(See Doc. No. 11.)

Also, a communication, in the words following:

*To the Honorable the Senate of the State of New York:*

As a committee of the New York State Military Association, we take great pleasure in inviting you to be present and hear our annual address, in the Assembly chamber, at 8 o'clock P. M., January 22d, 1868.

Col. C. F. BLOOD,  
Col. C. H. THOMSON,  
Maj. W. L. SKIDMORE.

ALBANY, January 21, 1868.

The Assembly sent for concurrence the bill entitled as follows:

"An act to amend the Metropolitan excise law, by extending time for

collection of license fees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Murphy gave notice that he would, on some future day, ask leave to introduce a bill to authorize the incorporation of loan and warehousing companies.

Mr. Morgan gave notice that he would, on some future day, ask leave to introduce a bill to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe.

Mr. Williams gave notice that he would, on some future day, ask leave to introduce a bill to revise the charter of the city of Auburn.

Also, a bill to transfer to the trustees of the Newark Cemetery Association the control of the old burying grounds in said village

Also, a bill to authorize the establishment of a State orphan institute for the mental, physical, and moral improvement of indigent children who have become orphans by the war of the rebellion.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to widen West street, in the city of New York.

Also, a bill to incorporate the Twenty-third Street Railroad Company.

Also, a bill to incorporate the East and North River Railroad Company.

Also, a bill to incorporate the Intersecting Railroad Company.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill for the relief of the widow and heirs of William C. Northrup, deceased.

Mr. Mattoon gave notice that he would, on some future day, ask leave to introduce a bill to authorize the town of Hastings to elect one additional justice of the peace.

Mr. Thayer gave notice that he would, on some future day, ask leave to introduce a bill in relation to the duties and compensation of county clerk of the county of Rensselaer.

Mr. Parker gave notice that he would, on some future day, ask leave to introduce a bill for the relief of Robert Gordon and Frances Gordon.

Also, a bill to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal school buildings.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York, Brooklyn, and New Jersey Pneumatic Transit Company.

Also, a bill to suppress the sale of adulterated and explosive oils in the cities of New York and Brooklyn.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act authorizing the special highway commissioners appointed by chapter 507 of the Laws of 1867, to borrow money for highway purposes, under the provisions of said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to release to Nancy Crawford all the estate, right, title and interest of the people of the State of New York, of, in and to certain premises and real estate situate in the village of Clintonville, in the county of Clinton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to change the name of the Evening Tele-

graph Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Oriental Savings Institution of New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act empowering the board of supervisors of the county of Westchester, to require the collectors of the different towns in the county to pay over taxes at stated times," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to fix the place of holding circuit courts, and courts of oyer and terminer, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to amend the 8th section of chapter 172 of the Laws of 1862, in relation to the rights and liabilities of husband and wife," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to incorporate the city of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Sixth Avenue Savings Bank, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Householders' Mutual Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to revise and amend the charter of the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend the charter of the village of Ithaca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857; and revived by an act passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of 'The Wallabout Improvement,' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The bill entitled "An act to incorporate the 'Forestport Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Mattoon	O'Donnell	Thayer
Campbell	Folger	Morgan	Palmer	Tweed
Cauldwell	Genet	Morris	Parker	Van Patten
Chapman	Humphrey	Nichols	Pierce	Williams
Creamer	Kennedy	Norton	Stanford	24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

Mr. Creamer moved to take from the table the motion to reconsider the vote upon the passage of the bill entitled "An act for the relief of the poor of the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Murphy	Pierce
Beach	Folger	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Van Patten
Chapman	Hubbard	Morris	Parker	Williams
				25

## FOR THE NEGATIVE.

Bradley	Creamer	Norton	Tweed	4
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Mr. Creamer moved to refer said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the Commissioners of Charities and Corrections of the city of New York, be requested to furnish to the Legislature the amount of relief needed, if any, for the poor of New York the present winter.

Mr. Bradley moved to amend, as follows:

"And that they also report the number of applications for relief by them denied."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Crowley moved to take from the table the resolution heretofore offered by him, as follows:

*Resolved*, That the committees of judiciary, finance, claims, internal affairs of towns and counties, municipal affairs, railroads, canals, engrossed bills, and commerce and navigation, be each authorized to employ a clerk, and that the clerk of the committee on commerce and navigation also act as clerk of committee on banks.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Murphy moved to refer said resolution to a select committee.

Mr. O'Donnell moved to amend by striking out "select committee" and inserting committee on "public expenditures."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Murphy moved to amend by referring so much of said resolution as provides for appointment of clerks to the committees on finance, claims, internal affairs of towns and counties, railroads, canals, and commerce and navigation, to a select committee; and that the committees on judiciary, municipal affairs, and engrossed bills, be each allowed a clerk.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tweed moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parker moved that the committees on claims, railroads, and canals, be excepted from the motion to refer.

Mr. Humphrey moved further to except the committees on commerce and navigation, and banks.

A division of the question being called for,

The President put the question whether the Senate would agree upon excepting the committee on banks, and it was decided in the negative, as follows:

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Nichols	Tayer
Beach	Folger	Mattoon	Norton	Tweed
Campbell	Genet	Morgan	Palmer	Van Petten
Cauldwell	Hale	Morris	Parker	Williams
Chapman	Hubbard	Murphy	Stanford	

24

The President put the question whether the Senate would agree to so much of said motion as excepted the committee on commerce and navigation, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the negative.

The President then put the question whether the Senate would agree

to said motion of Mr. Murphy to refer to select committee, and it was decided in the affirmative.

Messrs. Murphy, O'Donnell and Crowley, were appointed as such committee.

The President then put the question whether the Senate would agree to so much of the resolution for the appointment of clerks to the committees on judiciary, municipal affairs and engrossed bills, and it was decided in the affirmative.

Mr. Tweed offered the following resolution:

*Resolved*, That 300 extra copies of the annual report of the Commissioners of Public Charities and Corrections of the city of New York, for the year 1867, be printed for the use of said Commissioners.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Norton offered the following preamble and resolution:

*Whereas*, The steamer Artizan and the propeller Glaucus, while entering the harbor of New York, a few days since, stranded in Hell Gate, thereby imperiling the lives of a large number of passengers and jeopardizing much valuable property; and

*Whereas*, It is estimated that one coasting sailing vessel out of every fifty which passes through that channel sustains more or less damage by reason of the obstructions existing there; and

*Whereas*, It is the duty of the National Government to improve navigation, where practicable, for the encouragement of commerce; therefore, be it

*Resolved*, That Senators Morgan and Conkling and the other Representatives in Congress from this State be requested to urge upon Congress the immediate propriety of making an appropriation for the purpose of removing the obstructions at Hell Gate, and the improvement of the eastern entrance to the harbor of New York.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Kennedy offered the following resolution:

*Resolved*, That 3,000 copies of the report of the committee of the last Senate upon the conduct of the canals, with the evidence taken by them, be printed for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Cauldwell offered the following resolution:

*Resolved*, That the committee on finance be discharged from the further consideration of the bill providing for a receiver of taxes in the town of Westchester, and that the same be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Tweed and by unanimous consent, the Senate resolved itself into a committee of the whole, and proceeded to the consideration of the bill entitled as follows:

"An act to change the name of the Evening Telegraph Association."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of said bill, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Humphrey, the Senate adjourned.



## THURSDAY, JANUARY 23, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Alden.

The journal of yesterday was read and approved.

Mr. Palmer presented a petition of the Children's Aid Society of New York, in behalf of a building fund for the Newsboys' Lodging House, which was read and referred to the committee on finance.

Mr. Hale presented a petition of E. E. Davis and sixty-seven other citizens of Whitehall for the passage of a resolution urging upon Congress the repeal of the act relating to the bridge and pier at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Chapman presented a petition for the construction of a bridge over the Chenango canal at Court street, in Binghamton, which was read and referred to the committee on canals.

Mr. Campbell presented a petition of the board of supervisors of Oneida county, asking for the repeal or modification of the militia law of 1867, so far as it exempts from taxation and creates onerous local expenses, which was read and referred to the committee on militia.

Mr. Creamer presented a petition of citizens of New York, asking for the passage of an act to incorporate the People's Metropolitan and Submarine Underground Railroad Company, which was read and referred to the committee on railroads.

Mr. Norton presented a petition of citizens of Westchester county, upon the same subject, which was read and referred to the committee on railroads.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to fix the place of holding circuit courts and courts of oyer and terminer, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the official acts of James Sheldon as notary public," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to change the name of the Wolstenholm File Manufacturing Company," reported that they have made some amendments thereto, and amended the title by adding thereto as follows: "to the Buffalo File Manufacturing Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to repeal chapter 547 of the Laws of 1866, entitled 'An act to amend chapter 62 of the Laws of 1846, and other acts additional to the same,' passed April 13, 1866," and as

amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to change the name of the Evening Telegraph Association."

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to establish the office of receiver of taxes and assessments in the town of Westchester, and county of Westchester, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864; and the several acts amending the same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Tenth-street and Cortlandt-street Ferry Railway Company, in the city of New York.

Mr. Parker gave notice that he would, on some future day, ask leave to introduce a bill to amend the Revised Statutes, in relation to the recording of wills.

Mr. Hale gave notice that he would, on some future day, ask leave to introduce a bill to amend the act relating to partnership names.

Mr. Van Petten gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act to authorize the construction of a railroad from the village of Herkimer to the village of Ilion," passed June 7, 1865.

Mr. Chapman gave notice that he would, on some future day, ask leave to introduce a bill to amend sections 366 and 371 of the Code of Procedure.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Excelsior Savings Bank of Brooklyn.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York Burglar Insurance Company.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill to facilitate the construction of a railroad between the city of Albany and the town of Stephentown, Rensselaer county.

In pursuance of previous notice, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to regulate the ferries in the Metropolitan police district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide for the organization of savings banks, for their more thorough supervision, and for a more safe and efficient administration of their affairs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the Erie and New England Railroad Company to establish and maintain a steamboat ferry on the

Hudson, at some point between Stoney Point and Fort Montgomery, on said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to transfer to the trustees of the Newark Cemetery Association, the possession and control of the old burying ground, near the residence of John W. Barton, in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the establishment of a State Orphan Institute, for the mental, physical, and moral improvement of indigent children who have become orphans by the war of the rebellion, and other indigent orphans residents of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to establish a separate road district in the village of Margaretville, county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act for the relief of the widow and heirs of William C. Northrup, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Graham asked and obtained leave to introduce a bill entitled "An act in relation to the Walkill Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to change the name of the Evening Telegraph Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Campbell	Hale	Morgan	Norton	Tweed
Cauldwell	Hubbard	Morris	O'Donnell	Van Patten
Chapman	Humphrey	Murphy	Parker	Williams
Creamer				

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By unanimous consent, the rule was suspended and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Cauldwell, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the

Commissioners of Public Charities and Corrections, reported in favor of the adoption of the following resolution:

*Resolved*, That 300 copies of the annual report of the Commissioners of Public Charities and Corrections in the city of New York, for the year 1867, be printed for the use of said Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Kennedy called for the consideration of the resolution offered by him on the 8th instant, requiring the Attorney-General to institute proceedings relative to canal frauds.

Mr. Banks moved to refer said resolution to the committee on canals.

After debate,

Mr. Crowley moved to lay upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. O'Donnell called for the consideration of the resolution heretofore offered by him, as follows:

*Resolved*, (if the Assembly concur,) That the joint rules of the last Legislature be the joint rules for the present session, until otherwise ordered, and that the same be referred to the committee on rules of each House, for revision.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bill, with a message that they had concurred in the passage of the same, without amendment:

"An act to change the name of the Evening Telegraph Association."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act to amend chapter 394 of the Laws of 1859, entitled 'An act to amend the poor laws of the county of Herkimer.'"

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Crowley, the Senate adjourned.

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## FRIDAY, JANUARY 24, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Folger presented a petition of business men of Port Gibson, Ontario county, for an extension of the vertical wall of the berme bank of the Erie canal, which was read and referred to the committee on canals.

Mr. Van Petten presented a remonstrance of citizens of Kings county, against modification of excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Canldwell presented a petition of the Quarrymen's Union Benevolent Protection Society, of Westchester county, for an act of incorpora-

tion, which was read and referred to the committee on charitable and religious societies.

Mr. O'Donnell presented a remonstrance of citizens of New York, against repeal of excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Palmer presented a remonstrance of the Grand Division of the Sons of Temperance of Eastern New York, upon the same subject, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Nichols presented a petition of the St. Francis Asylum, at Buffalo, for an appropriation, which was read and referred to the committee on finance.

Mr. Morgan presented a remonstrance of Henry L. Fish and others, citizens of Rochester, against the passage of the joint resolution asking Congress to repeal the law relating to the draw-bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania," passed May 29, 1863; reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act authorizing any life insurance company, or any trust or loan company, or savings bank, to invest their funds in the town bonds issued by the towns of Gardiner, Shawangunk, and New Paltz, in the county of Ulster, and the second election district of the town of Montgomery Orange county," reported that they have made some amendments thereto, and as amended, report the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to establish a free school in school district No. 1, in the towns of Little Falls and Manheim, in the county of Herkimer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act confirming the title to certain lands in Westfield, Chautauqua county, in the Westfield and Portland Union Cemetery Association, and for other purposes," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to vest the title to certain lands in 'The Westfield and Portland Union Cemetery Association,' and to authorize said association to affirm and enforce certain allotments and assessments," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Cuyler, in Cortland county," reported that said committee have had the same under consideration, that they have come to the conclusion to report a general bill for the extension of the time

for the collection of taxes in this State, and that they do report such bill entitled "An act to authorize the extension of time for the collection of taxes in the several towns and cities of this State, for the year 1868," and do recommend its passage; which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act for the relief of the Franklin Fire Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Nancy Crawford all the estate, right, title and interest of the people of the State of New York, of, in and to certain premises and real estate situate in the village of Clintonville, in the county of Clinton," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Commissioners of the Niagara Frontier Police District, reported in favor of the adoption of the following resolution:

*Resolved*, That 100 copies of the annual report of the Governor of the Board of Commissioners of the Niagara Frontier Police District, be printed for the use of said Board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, Jan. 23, 1868.

*Resolved*, That a respectful message be sent to the Senate, requesting that Body to transmit to the Assembly the papers on the files of the Senate of 1865, relating to the affairs of E. W. Park, deceased, and that they be referred to the committee on claims, of this House.

By order.

C. W. ARMSTRONG, Clerk.

*Ordered*, That the Clerk transmit said papers to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act authorizing and providing for the election of a police justice, and a police constable, in the village of Addison, in the county of Steuben, and for the erection of a lock-up therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act supplemental to the act entitled 'An act to provide for the erection of an armory in the city of Schenectady,' passed April 28, 1866" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York Citizen Marksmen Company.

Also, a bill to authorize the construction of a railroad in Thirty-fourth street, in the city of New York.

Mr. Cauldwell gave notice that he would, on some future day, ask

leave to introduce a bill to authorize the construction of the 'Metropolitan Underground Railway,' in the city of New York.

Mr. Morris gave notice that he would, on some future day, ask leave to introduce a bill to amend an act to provide for the appraisal of and acquiring title to lands taken for, or in addition to sites for district school houses, passed April 25, 1866.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to regulate the freight on milk on the Harlem and Hudson River Railroads.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to establish a Free German-American Institute, in the city of New York.

Also, a bill to incorporate the New York Stock Clearing House Association.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the People's Mutual Warehousing Security Company.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to provide means to reimburse the county of New York the amount of State taxes of 1863 and 1864, collected upon the capital stock of the banks and other moneyed corporations in the city of New York, declared by the Supreme Court of the United States to have been unlawfully collected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act for the relief of Catharine Chadwick," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Quarryman's Union Benevolent Protective Society of the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorize the construction of a railroad from the village of Herkimer through the village of Ilion,' passed June 17, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to authorize the town of Hastings, Oswego county, to elect one additional justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cauldwell offered the following resolution:

*Resolved*, That when the Senate adjourn to-day, it adjourn to meet Monday evening, at 7 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger called for the consideration of the concurrent resolution, as follows:

*Resolved*, (if the Senate concur,) That the Senators and Members of Congress from this State be, and they are hereby requested to demand from the Executive, the protection of the United States Government to foreign born citizens while traveling in Europe, on pleasure or business, and insist on the immediate discharge of American citizens now confined in British dungeons without process of law.

Also, the following:

*Resolved*, (if the Senate concur,) That our Senators in Congress be instructed and our Representatives requested to take such legislative action as will effectually secure to American citizens of foreign birth protection abroad.

*Resolved*, That the Clerk transmit a copy of the above resolution to each House of Congress.

Mr. Folger moved to amend by striking out all after the words "if the Senate concur," in both of the foregoing resolutions, and to insert the following:

"That our Government, recognizing no distinction between native born and adopted citizens, should demand of other nations the immediate and unconditional release of all citizens of the United States, illegally held in military service, or in custody for pretended political offenses not committed on their soil; and that it is the duty of the Government to enforce that demand, if necessary, with all the power of the Nation,"

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendment.

Mr. Folger called for the consideration of the concurrent resolution, heretofore offered, as follows:

*Resolved*, (if the Assembly concur,) That a committee of three on the part of the Senate, and five on the part of the Assembly, be appointed by the Chair of those bodies respectively, to consider and report what officers of the Senate and Assembly are necessary, and the amount of compensation to be paid to each for his services.

Mr. Folger moved to amend by inserting after the word "Assembly" last occurring, the words, "and also in the State and Executive Department."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Beaks	Chapman	Humphrey	Nichols	Stanford
Beach	Creamer	Kennedy	O'Donnell	Thayer
Bradley	Crowley	Mattoon	Palmer	Tweed
Campbell	Folger	Morgan	Parker	Van Petten
Caldwell	Hale	Morris	Pierce	Williams

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.



Mr. Palmer called for the consideration of the concurrent resolution from the Assembly, as follows:

*Resolved*, (if the Senate concur,) That the Secretary of State furnish to each member of Assembly and Senator, one copy of the Convention Manual, prepared pursuant to chapter 194 of the Laws of 1867.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols moved to take from the table the resolution heretofore offered by him, in the words following:

*Resolved*, That a committee of three be appointed by the President to inquire into and report what further legislation is necessary (if any), to insure a greater degree of safety in railway travel, with power to send for persons and papers.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Pierce moved to refer said resolution to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. O'Donnell moved to amend said resolution by adding, "but said committee shall incur no expense to the State without the consent of the Senate previously obtained."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

"An act to authorize the Utica and Waterville Railroad Company to alter its name."

Assembly, "An act to amend chapter 394 of Laws of 1859, entitled 'An act to amend the Poor Laws of Herkimer.'"

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867."

After some time spent therein, the President resumed the chair, and Mr. Banks, from said committee, reported in favor of the passage of the first named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Banks, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Murphy, from the select committee on the resolution in regard to clerks for certain committees of the Senate, reported the following resolution, and recommend its adoption:

*Resolved*, That the committees on finance, railroads, and internal affairs of towns and counties, be respectively authorized to employ clerks.

Mr. Humphrey moved to amend said resolution so as to include the committees upon claims and canals, and one clerk for the committees on banks, and commerce and navigation, jointly.

Mr. Kennedy moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The question being upon the amendment of Mr. Humphrey, a division was called for.

The President put the question whether the Senate would agree upon so much as relates to allowing a clerk to the committee on canals, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	O'Donnell	Pierce	Thayer	
Chapman	Humphrey	Palmer	Stanford	Van Petten	
Creamer	Morgan	Parker			13

## FOR THE NEGATIVE.

Banks	Crowley	Mattoon	Murphy	Tweed	
Bradley	Folger	Morris	Nichols	Williams	
Cauldwell	Kennedy				12

The President then put the question whether the Senate would agree to so much as relates to allowing a clerk to the committee on claims, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Parker	Thayer	
Cauldwell	Humphrey	O'Donnell	Pierce	Van Petten	
Chapman	Mattoon	Palmer	Stanford	Williams	
Creamer					16

## FOR THE NEGATIVE.

Banks	Crowley	Morris	Nichols	Tweed	
Bradley	Kennedy	Murphy			8

The President then put the question whether the Senate would agree to so much as relates to allowing a clerk to the committee on commerce and navigation and banks, jointly, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morris	Palmer	Thayer	
Cauldwell	Humphrey	Nichols	Parker	Tweed	
Chapman	Morgan	O'Donnell	Pierce	Van Patten	
Creamer					16

## FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Murphy	Williams	
Bradley	Folger	Mattoon			8

The question being upon the report of the committee, as amended, a division was called for.

The President put the question whether the Senate would agree to so much as relates to allowing a clerk to the committee on finance, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Palmer	Thayer	
Campbell	Crowley	Mattoon	Parker	Tweed	
Cauldwell	Hale	Morgan	Pierce	Van Petten	
Chapman					16

## FOR THE NEGATIVE.

Bradley	Kennedy	Murphy	Stanford	Williams	
Folger	Morris	Nichols			8

The President then put the question whether the Senate would agree

to so much as relates to allowing a clerk to the committee on railroads, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Folger	Mattoon	O'Donnell	Thayer	
Chapman	Hale	Morgan	Palmer	Tweed	
Creamer	Humphrey	Morris	Parker	Van Petten	
Crowley	Kennedy	Nichols	Pierce		19

## FOR THE NEGATIVE.

Banks	Bradley	Murphy	Stanford	Williams	5
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The President then put the question whether the Senate would agree to so much as relates to allowing a clerk to the committee on internal affairs of towns and counties, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Crowley	Mattoon	O'Donnell	Thayer	
Cauldwell	Folger	Morgan	Palmer	Tweed	
Chapman	Hale	Morris	Parker	Van Petten	
Creamer	Humphrey	Nichols			18

## FOR THE NEGATIVE.

Banks	Kennedy	Murphy	Stanford	Williams	6
Bradley					

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Nichols	Parker	Thayer	
Cauldwell	Humphrey	O'Donnell	Pierce	Tweed	
Chapman	Morgan	Palmer	Stanford	Van Petten	
Creamer	Morris				17

## FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Murphy	Williams	8
Bradley	Folger	Mattoon			

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act in relation to the Fifth Ward Railroad Company, in the city of Syracuse."

After some time spent therein, the President resumed the chair, and Mr. Folger, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Kennedy, the Senate adjourned.

MONDAY, JANUARY 27, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Clapp.

The journal of Friday was read and approved.

Mr. Hale presented a resolution of the board of trade of the city of Troy, approving of joint resolution asking Congress to repeal or modify the act relating to bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Nichols presented a petition of the Vulcan Iron works for relief, which was read and referred to the committee on claims.

Mr. Parker presented a remonstrance of 140 citizens of Franklin Co., against interfering with bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Genet presented a petition of the owners of land under water on the shore of the Harlem river, for leave to build wharves on said river, which was read and referred to the committee on commerce and navigation.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to authorize the Utica and Waterville Railroad Company to alter its name."

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act in relation to the punishment of crimes in certain cases," passed April 11, 1856.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859; passed April 11, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to provide for the appraisal of, and acquiring title to lands taken for, or in addition to sites for district school houses,' passed April 25th, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Parker asked and obtained leave to introduce a bill entitled "An act for the relief of Robert Gordon, and Frances Gordon, his wife," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Humphrey offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly, requesting them to transmit to this body the papers on file relating to the claim of D. H. Fitzhugh and Craig W. Wadsworth, and when received they be referred to the committee on canals.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morris offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the papers on their files in relation to the construction of a bridge over Cattaraugus creek, and that when received said papers be referred to the committee on roads and bridges.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Chapman called for the consideration of the resolution from the Assembly, in the words following:

*Resolved*, (if the Senate concur,) That the Canal Board are hereby

requested and instructed to reduce the tolls on all coal going west from tide water to one-tenth mill per ton.

*Resolved*, That the Clerk be and he hereby is directed to direct a copy of this resolution to the Honorable the Canal Board.

Mr. Chapman moved to refer said resolution to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the Fifth Ward Railroad Company, in the city of Syracuse."

"An act to authorize the board of education of Union Free School district No. 2, of the town of New Lots, Kings county, to raise money for the erection of a new school house."

"An act to fix the place of holding Circuit Courts and Courts of Oyer and Terminer in the county of Westchester for the years 1868 and 1869."

After some time spent therein, the President resumed the chair, and Mr. Parker, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Parker, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the same committee, reported in favor of the passage of the last named bill, without amendment.

On motion of Mr. Cauldwell and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Murphy	Parker
Campbell	Genet	Morgan	Nichols	Stanferd
Cauldwell	Hale	Morris	O'Donnell	Van Petten
Chapman	Humphrey			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to amend chapter 338 of the Laws of 1858, relative to assessments of real estate in the city of New York.

Mr. Chapman moved to reconsider the vote by which the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867," was ordered to a third reading.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

By unanimous consent, Mr. Chapman moved to amend the said bill as follows:

Sec. 1. Insert in section 1, line 5, printed bill, after the word "citizen" the words, "and is entitled to vote at any election, by the Constitution of the State of New York."

Section 3, line 17, printed bill, strike out the word "immediately," and in the same section, 18th line, after the word "penalty" insert, "but subject to

to the same right of appeal from such judgment, and stay of execution thereon, as now exists in other civil actions in justices' courts."

Strike out section 6, and insert the following in lieu thereof:

§ 6. Section 2 of title 6 of said act, is hereby amended so as to read as follows:

§ 2. Supervisors.—There shall be elected annually in each ward, one supervisor, who shall be a member of the board of supervisors of the county of Broome, and shall possess all the power and authority of supervisors of towns, subject to the same obligations, and shall receive the same compensation for services. A majority of the supervisors, the recorder, one or more of the justices of the peace, and clerk of said city, shall be a board of city auditors, to audit charges and accounts against said city for services rendered, acts done, or means furnished by a justice of the peace, when acting as recorder; by the chief of police; by any constable or policeman, except for extraordinary services, the compensation for which, is in the discretion of the common council; by the overseer of the poor; by the board of health, for the city; by the keeper of the jail of Broome county, and by the members of the board of city auditors, in the same manner, and at the time similar accounts are audited by the respective town boards in the several towns in the county of Broome. The compensation of each member of said board of city auditors shall be two dollars per day for each day's actual and necessary service. All charges and accounts against said county for services rendered, acts done, or means furnished, by any of the officers mentioned in this section, shall be audited by the board of supervisors of Broome county.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, as amended, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

On motion of Mr. Murphy, the Senate adjourned.

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## TUESDAY, JANUARY 28, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Heckman.

The journal of yesterday was read and approved.

Mr. Parker presented a petition of tax-payers of Potsdam, in relation to the collection of taxes in said town, which was read and referred to the committee on the judiciary.

Mr. Bradley presented a petition of the Irving Fire Insurance Company, for amendments to charter, which was read and referred to the committee on insurance.

Mr. Murphy presented a memorial of the Commissioners of Prospect Park of the city of Brooklyn, for the extension of said park and other purposes, which was read and referred to the committee on municipal affairs.

Mr. Parker presented two remonstrances of citizens of St. Lawrence and Clinton counties, against interfering with Rouse's Point bridge,

which were read and referred to the committee on commerce and navigation.

Mr. Mattoon presented two remonstrances of citizens of Oswego Co., upon the same subject, which were read and referred to the committee on commerce and navigation.

Mr. Hale presented a petition of supervisors of Washington county, for the passage of resolutions for the repeal or modification of act of Congress relating to bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. O'Donnell presented twenty-one remonstrances against the repeal of the Metropolitan Excise Law, and in favor of its extension to the whole State, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten presented a petition of J. B. Foote and others of Rome District Ministerial Association, remonstrating against repeal of Excise Law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Murphy presented a memorial of Ditmas Jewell and others, for the establishment of a savings bank at East New York, which was read and referred to the committee on banks.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to fix the place of holding Circuit Courts and Courts of Oyer and Terminer, in the county of Westchester, for the years 1868 and 1869."

The Assembly sent for concurrence the bill entitled as follows:

"An act to legalize the official acts of John I. Zeh as justice of the peace of the town of Fulton, Schoharie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Metropolitan Underground Railway Company, and to authorize said company to construct tunnels and railways in the city of New York, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to relieve non-resident executors from the obligation of giving bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the United States Accident Insurance Company of Syracuse, to withdraw a portion of its securities deposited in the Insurance Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to extend chapter 898 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts in relation to the preservation of moose, wild deer, birds and fresh water fish,' so as to include minks and muskrats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act for the suppression of the trade in and

circulation of obscene literature, illustrations, advertisements, and articles of indecent and immoral use, and obscene advertisements of patent medicines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to enable the commissioners of highways of the town of Lowville, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to authorize the Utica and Waterville Railroad Company to alter its name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Murphy	Parker
Bradley	Edwards	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	Norton	Van Petten
Cauldwell	Hale	Morgan	O'Donnell	Williams
Chapman	Hubbard	Morris		

28

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 394 of the Laws of 1859, entitled 'An act to amend the poor laws of the county of Herkimer,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE

Beach	Edwards	Humphrey	Morris	Parker
Campbell	Genet	Kennedy	Murphy	Stanford
Cauldwell	Hale	Mattoon	Nichols	Van Petten
Chapman	Hubbard	Morgan	Norton	Williams

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act changing the name of the Wolstenholme File Manufacturing Company to 'The Buffalo File Company.'"

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864; and the several acts amending the same."

"An act to confirm the official acts of James Sheldon as notary public."

After some time spent therein, the President resumed the chair, and Mr. Beach, from said committee, reported in favor of the passage of the first and last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Beach, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.



Mr. O'Donnell offered the following resolution:

*Resolved*, That the Comptroller be requested to inform the Senate what amount of money (if any,) has been received from railroads in this State from the sale of unclaimed freight or baggage, under the act passed April 14, 1857; and if any money has been received, what disposition has been made of the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to establish the office of receiver of taxes in the town of Westchester, in the county of Westchester, New York."

After some time spent therein, the President resumed the chair, and Mr. Campbell, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Bradley, the Senate adjourned.

### WEDNESDAY, JANUARY 29, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Leonard.

The journal of yesterday was read and approved.

Mr. Chapman presented a petition of citizens of Binghamton, praying for an act authorizing the construction of a bridge across the Chenango canal at Court street, in Binghamton, which was read and referred to the committee on canals.

Mr. Folger presented a petition of the Union Home and School for Soldiers' Orphans, asking State aid, which was read and referred to the committee on finance.

Mr. Hale presented a petition of citizens of the county of Clinton, for State aid to the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Mattoon presented a petition of the 48th Regiment, for an armory in the city of Oswego, which was read and referred to the committee on finance.

Mr. Stanford presented a petition of forty-two citizens of the State of New York, asking for the repeal of the repair contract system of the canals, which was read and referred to the committee on canals.

Mr. O'Donnell presented a remonstrance of citizens of Westchester Co., against repeal of Metropolitan Excise Law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Williams presented a petition of August Steilen, for a law empowering him to hold and convey certain real estate, which was read and referred to the committee on the judiciary.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to rescind and declare void all repair contracts of the canals of this State, and work, repairs or dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28, 1866, on which contracts were subsequently let, and to provide for the collection of all sums of money paid thereon beyond a fair

compensation for the work actually performed under said contracts," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to declare the belief that all repair contracts of the canals of this State, and work, repairs and dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28th, 1866, on which proposals contracts were afterwards let and entered into, are fraudulent and void, and to provide for legal proceedings to establish the fact thereof, and to declare the same void, and to recover all sums of money paid on said contracts beyond a reasonable compensation for the work done thereunder," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorize the construction of a railroad from the village of Herkimer through the village of Mohawk to the village of Ilion,' passed June 7, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act changing the name of the Wolstenholme File Manufacturing Company to 'The Buffalo File Company.'"

"An act to confirm the official acts of James Sheldon as notary public."

"An act in relation to the Fifth Ward Railroad Company in the city of Syracuse."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867."

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864; and the several acts amending the same."

The President presented a communication from N. S. Benton, Auditor of the Canal Department, in regard to the report of the canal investigating committee made to the Senate on the 22d day of January, 1868; which was laid on the table and ordered printed.

(See Doc. No. 15.)

Also, the 23d annual report of the New York Prison Association; which was laid on the table and ordered printed.

(See Doc. No. 18.)

Also, the annual report of the Canal Appraisers, for the year 1867; which was laid on the table and ordered printed.

(See Doc. No. 19.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the board of education of Union Free School district No. 2, of the town of New Lots, to raise money for the purchase of a site, and the erection of a new school-house thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act authorizing the fire department of the village of Delhi, to purchase, hold and convey real and personal estate," which was read the first time, and by unanimous consent was also read the second time.

Mr. Hubbard moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

"An act to legalize the organization of the Ithaca Co-operative Store Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to fix the place of holding Circuit Courts and Courts of Oyer and Terminer, in the county of Westchester, for the years 1868 and 1869."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the concurrent resolutions relative to protection of American citizens while traveling abroad, with a message that they had concurred in the amendment of the Senate thereto.

*Ordered*, That the Clerk return said resolution to the Assembly.

Mr. Folger gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Geneva Savings Bank.

Mr. Williams gave notice, that he would, on some future day, ask leave to introduce a bill for the relief of August Steilen.

Mr. Chapman gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act to incorporate the Binghamton Savings Bank, in the village of Binghamton," passed April 18, 1867.

Mr. Banks gave notice that he would, on some future day, ask leave to introduce a bill in relation to insurance companies.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill to repeal so much of an act in relation to the election and appointment of town officers, and providing means for raising for current expenses of the town of Flushing, in Queens county, as relates to the towns of Huntington and Brookhaven, in the county of Suffolk, passed May 9, 1867.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Weehawken and Hunter's Point Railroad Company, in the city of New York.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act relative to common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act in relation to the new passenger depot of the New York and Harlem Railroad Company, at 42d street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to enable husband and wife, or either of them, to be a witness for or against the other, or on behalf of any party, in certain cases,' passed May 10, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend the act to facilitate the construction of the Southern Central Railroad, and to authorize towns to subscribe to the capital stock thereof, passed April 7, 1866;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the Bloss Coal Mining and Railroad Company to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to provide for the purchasing a site and for the building an armory thereon, in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the sale of all the public markets in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in 125th street, and certain other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the punishment of crimes in certain cases,' passed April 11, 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the Excelsior Savings Bank of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend chapter 280, section 7 of the Laws of 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend section 1 of chapter 182 of Laws of 1846, in relation to the recording of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hurl Gate,' passed April 15, 1847; as amended by act passed March 12, 1860; and again by act passed March 14, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Pierce asked and obtained leave to intro-

duce a bill entitled "An act to compel owners, proprietors and lessees of theatres, and other places of public amusement, to construct alley ways or passages between the seats in such theatres and places of suitable width, and keep the same unobstructed during performances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Tenth-street and Cortland-street Ferry Railroad Company, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce	
Beach	Edwards	Hubbard	Murphy	Stanford	
Campbell	Folger	Mattoon	Norton	Van Patten	
Chapman	Genet	Morgan	Parker	Williams	20

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Fifth Ward Railroad Company in the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	O'Donnell	Stanford	
Campbell	Hale	Morris	Palmer	Tweed	
Chapman	Kennedy	Nichols	Parker	Van Patten	
Creamer	Mattoon	Norton	Pierce	Williams	
Edwards					21

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act changing the name of the Wolstenholme File Manufacturing Company to 'The Buffalo File Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	O'Donnell	Stanford	
Campbell	Genet	Morgan	Palmer	Tweed	
Chapman	Hale	Morris	Parker	Van Patten	
Creamer	Hubbard	Murphy	Pierce	Williams	
Edwards	Humphrey	Nichols			23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westches-

ter, and to define their powers,' passed April 22, 1864; and the several acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	Parker
Campbell	Hale	Mattoon	Nichols	Pierce
Chapman	Hubbard	Morgan	Norton	Tweed
Creamer	Humphrey	Morris	Palmer	Williams
Edwards				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of James Sheldon as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Pierce
Beach	Edwards	Mattoon	O'Donnell	Tweed
Bradley	Folger	Morgan	Palmer	Van Petten
Campbell	Hale	Morris	Parker	Williams
Chapman	Hubbard	Nichols		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer offered the following resolution:

*Resolved*, That there be printed of the annual report of the New York Prison Association, 1,500 copies for the use of the Association, and five copies for each member, officer and reporter of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

The President announced as the committee, pursuant to the resolution adopted relative to safety in railway travel, Messrs. Nichols, Thayer and Norton.

The President presented a communication from the Citizens' Association of the city of New York, relative to the tax levies of said city.

Mr. Folger moved to lay said communication upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The President presented a communication from the Commissioners of Charities and Corrections of the city of New York, in reply to a resolution of the Senate as to the amount needed for relief of the poor of said city; which was laid on the table and ordered printed.

(See Doc. No. 14.)

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to establish a free school in school district No. 1, in the towns of Little Falls and Manheim, Herkimer county,' passed March 22, 1866."

"An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State, for the year 1868."

"An act to vest the title to certain lands in 'The Westfield and Portland Union Cemetery Association,' and to authorize said association to affirm and enforce certain allotments and assessments."

After some time spent therein, the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of said bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act authorizing the fire department of the village of Delhi to purchase, hold and convey real and personal estate."

"An act to release to Nancy Crawford all the right, title and interest of the people of the State of New York, of, in and to certain premises and real estate, situate in the village of Clintonville, in the county of Clinton."

"An act for the relief of the Franklin Fire Insurance Company."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Creamer moved to recommit said bill to the committee on insurance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Banks, the Senate adjourned.

## THURSDAY, JANUARY 30, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Elmendorf.

The journal of yesterday was read and approved.

Mr. Stanford presented a petition of the board of supervisors of the county of Saratoga, praying for amendment of laws relative to board of health, which was read and referred to the committee on the judiciary.

Mr. O'Donnell presented ten remonstrances, against the repeal of the Metropolitan Excise Law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Kennedy presented a petition to repeal the act to facilitate the construction of the Skaneateles railroad, which was read and referred to the committee on railroads.

Mr. Hale presented a petition of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Stanford presented a petition of John W. Hawn, for canal damages, which was read and referred to the committee on claims.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend the charter of the Mechanics' Savings Bank of Rochester," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857, and revived by an act passed April 20, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act legalizing the conveyance of lands to Arthur Owens, an alien, of Columbia county," reported that they have made some amendments thereto, and amended the title so as to read "An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Arthur Owens," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the conveyance of lands to Thomas Owens, then an alien, of Columbia county," reported that they have made some amendments thereto, and amended the title so as to read "An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Thomas Owens," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to establish the office of receiver of taxes in the town of Westchester, in the county of Westchester, New York."

"An act to amend an act entitled 'An act to establish a free school in school district No. 1, in the towns of Little Falls and Manheim, Herkimer county,' passed March 22, 1866."

"An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State, for the year 1868."

The President presented a communication from the Comptroller, in reply to a resolution of the Senate relative to moneys received from sale of unclaimed freight or baggage of railroads, which was laid on the table and ordered printed.

(See Doc. No. 17.)

The Assembly sent for concurrence the bills entitled as follows:

"An act making appropriations for the completion of the New York State Institution for the Blind, at Batavia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to incorporate the Corcoran Irish Legion Association, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.



The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend chapter 394 of the Laws of 1859, entitled 'An act to amend the poor laws of the county of Herkimer.'"

*Ordered*, That the Clerk return said bill to the Assembly.

**E** The Assembly returned the concurrent resolution relative to the joint rules, with a message that they had concurred in the passage of the same, without amendment.

Also, the concurrent resolution for appointment of committee to consider and report what officers of Senate and Assembly, and State and Executive Departments, are necessary, with a message that they had passed the same by inserting after the word "State" the word "military."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the National Burglar Insurance Company of the city of New York.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to secure the rights of depositors in savings banks.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill to authorize the Shelter Island Wharf and Improvement Company to build a wharf, &c.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to repeal an act passed April 22, 1867, to erect an experimental railway in New York and Westchester counties.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York City Central Underground Railway Company.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act for the extension of the charter of the Greenport and Shelter Island Ferry Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Banks asked and obtained leave to introduce a bill entitled "An act in relation to insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

In pursuance of previous notice, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to incorporate the Geneva Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled 'An act to amend chapter 460 of the Laws of 1862, chapter 392 of the Laws of 1863, and to repeal chapter 414 of the Laws of 1864,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the White Plains Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the making and opening of a road or avenue in the towns of Greenburgh, White Plains, Harrison and Rye, in the county of Westchester, to be known and called the Westchester avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the charter of the United States Warehouse Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act for the relief of August Steilen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the supervisor of the town of Denmark to convey by deed, the old burial ground, situated near the village of Copenhagen, in said town, to the trustees of Riverside Cemetery Association, and their successors in office, and to specify the qualifications of voters in the meetings of said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to allow the continued use of co-partnership names in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend chapter 898 of the Laws of 1867, relating to the preservation of game, so far as relates to the counties of Greene and Ulster," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848; and the various acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to provide for the consolidation of the Richfield Springs and Herkimer, and the Richfield Springs and Coop-town Telegraph Companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to establish the office of receiver of taxes in the town of Westchester, in the county of Westchester, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Baaks	Creamer	Kenedy	Nichols	Parker
Bradley	Edwards	Mattoon	Nicks	Pierce
Campbell	Genet	Morgan	Norton	Tweed
Cauldwell	Hale	Morris	Palmer	Van Petten
Chapman	Hubbard			

22

## FOR THE NEGATIVE.

Folger	O'Donnell			
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish a free school in district No. 1, in the towns of Little Falls and Manheim, Herkimer county,' passed March 22, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Pierce
Bradley	Edwards	Morgan	O'Donnell	Stanford
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Hale	Murphy	Parker	Williams
Chapman	Kennedy	Nichols		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State, for the year 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Kennedy	O'Donnell	Pierce
Campbell	Edwards	Morgan	Palmer	Van Petten
Cauldwell	Folger	Nicks	Parker	Williams
Chapman	Hale			

17

## FOR THE NEGATIVE.

Banks	Nichols	Norton	Stanford	Tweed
Murphy				

6

Mr. Morris moved to reconsider the vote just taken.

Mr. Nichols moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Morris	Nichols	Norton
Bradley	Edwards	Murphy		

8

## FOR THE NEGATIVE.

Campbell	Genet	Morgan	Parker	Tweed
Chapman	Hale	Nicks	Pierce	Van Petten
Creamer	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon	Palmer		

18

On motion of Mr. Folger and by unanimous consent, the rule was suspended, and said bill ordered sent to the Assembly immediately, with a message requesting their concurrence therein.

The bill entitled "An act to authorize the board of education of Union Free School district No. 2, of the town of New Lots, Kings county, to raise money for the erection of a new school house," having been announced for a third reading,

Mr. Murphy moved to substitute therefor the Assembly bill No. 1, of the same title.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said Assembly bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Pierce
Bradley	Folger	Morgan	Nicks	Stanford
Campbell	Genet	Morris	O'Donnell	Tweed
Cauldwell	Hale	Murphy	Parker	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the fire department of the village of Delhi to purchase, hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Nicks	Pierce
Bradley	Hale	Morris	O'Donnell	Stanford
Cauldwell	Kennedy	Murphy	Palmer	Van Petten
Chapman	Mattoon	Nichols	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Bradley offered the following resolution:

*Resolved*, That there be printed 500 copies of the list of members, officers and reporters of the Legislature, for the use of the Senate, and 25 on card board.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Palmer offered the following resolution:

*Resolved*, That 2,500 extra copies of the special report of the Superintendent of the Bank Department on Savings Banks, be printed for the use of the Superintendent, (of which number 500 shall be bound,) and to be distributed by him to savings banks for the use of their trustees and officers; and 1,500 copies be printed for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Parker moved that the judiciary committee be discharged from the further consideration of the petition of tax payers of the village of

Potsdam, in relation to the collection of taxes in said town, and that the same be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act authorizing any life insurance company, or any trust or loan company, or savings bank to invest their funds in the town bonds issued by the towns of Gardiner, Shawangunk and New Paltz, and by the village of Middletown, in the county of Ulster, and the second election district of the town of Montgomery, Orange county."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. O'Donnell offered the following resolution:

*Resolved*, That every railroad company of the State of New York is hereby required to report to the Comptroller, on or before the 10th day of February next, the amount received from the sale of unclaimed freight or baggage, since April 14th, 1857, the time when any such sale has been made, and if any such sale has been made, the amount received at such sale or sales, and what disposition has been made of the proceeds thereof; and that the State Engineer be requested to transmit this resolution, immediately, to the President of every railroad company in the State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the New York Prison Association, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the annual report of the New York Prison Association, 1,500 copies for the use of the association, and five copies for each member, officer and reporter of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

## FRIDAY, JANUARY 31, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Kennedy presented a resolution of the board of supervisors of Cortland county, praying for the repeal of chapter 477 of the Laws of 1862, and the several acts supplementary thereto, which was read and referred to the committee on the militia.

Mr. Parker presented a remonstrance against amending law for collection of taxes in the town of Canton, which was read and committed to the committee of the whole.

Mr. Hale presented a petition of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Williams presented a memorial of the board of supervisors of Cayuga county, for repeal of militia law, which was read and referred to the committee on the militia.

Mr. Mattoon presented a remonstrance of citizens of Oswego, against repeal of law creating draw-bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release to Nancy Crawford all the right, title and interest of the people of the State of New York, of, in and to certain premises and real estate, situate in the village of Clintonville, in the county of Clinton."

"An act to vest the title to certain lands in 'The Westfield and Portland Union Cemetery Association,' and to authorize said association to affirm and enforce certain allotments and assessments."

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend chap. 182 of the Laws of 1846, in relation to the recording of wills," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the petition of citizens of Canton, St. Lawrence county, for an amendment of the laws relating to the collection of taxes in said town, reported by bill entitled "An act relative to the collection of taxes in the town of Canton, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the petition of tax payers of Potsdam, St. Lawrence county, for a law relative to collection of taxes in said town, reported by bill entitled "An act relative to the collection of taxes in the town of Potsdam, in the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Laws of 1862, in relation to the rights and liabilities of husband and wife," reported adversely thereto.

Mr. Hubbard moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of August Steilen," reported that they have made some amendments thereto, and amended the title so as to read "An act to release to August Steilen the interest of the State in certain real estate," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the bill entitled "An act making appropriations for deficiencies in existing canal appropriations, to meet existing claims and demands against the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred

the bill entitled "An act ceding jurisdiction to the United States over David's Island," reported that they have made some amendments thereto, and amended the title so as to read "An act ceding to the United States jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxes and assessment," and as amended, recommending its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Bloss Coal Mining and Railroad Company to hold real estate," reported that they have made some amendments thereto, and amended the title by adding thereto the words "in this State, to a limited amount, for the purposes of its business," and as amended, recommending its passage; said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns and cities of this State, for the year 1868," with a message that they had passed the same, with the following amendment:

Amend the title by striking out the word "eight" and inserting the word "seven."

Mr. Folger moved to concur in said amendment, with the further amendment, by striking out of the title all after the word "State."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Pierce
Bradley	Edwards	Morgan	Norton	Stanford
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Chapman	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment thereto, with a further amendment.

The Assembly sent for concurrence the bill entitled as follows:

"An act to incorporate the Rensselaer Park Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Palmer gave notice that he would, on some future day, ask leave to introduce a bill to amend "An act authorizing notaries public of the State of New York to perform the duties now performed by commissioners of deeds," passed April 15, 1859.

Also, a bill to amend the 14th section of title 1, chapter 5 of the Revised Statutes, in relation to notaries public.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to amend the registry law.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to theatres in the city of New York,' passed March 18, 1859; and to extend the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate the Shelter Island Wharf and Improvement Company," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the list of members, officers and reporters of the Legislature, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed 500 copies of the list of members, officers and reporters of the Legislature, for the use of the Senate, and 25 on card board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Messrs. Mattoon and Cauldwell, from a majority of the committee on public printing, to which was referred the resolution to print extra copies of the report of the special committee on the management of the canals of the State, reported in favor of the adoption of the following resolution:

*Resolved*, That 3,000 copies of the report of the committee of the last Senate upon the conduct of the canals, with the evinence taken by them, be printed for the use of the Senate.

Mr. Nichols moved to amend by striking out "3,000" and inserting "4,000."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Nichols	Parker	
Beach	Creamer	Kennedy	Nicks	Pierce	
Bradley	Edwards	Mattoon	Norton	Stanford	
Campbell	Hale	Morris	Palmer	Williams	20

#### FOR THE NEGATIVE.

Chapman	Folger	Humphrey	Morgan	Van Petten	5
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The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend section 16 of chapter 783, entitled 'An act in relation to the powers and jurisdiction of surrogates' courts,' passed April 25, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the People's Mutual Warehousing and Security company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17, 1866; and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Hubbard asked and obtained



leave to introduce a bill entitled "An act to incorporate the National Burglar Insurance Company, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to repeal chapter 440 of the Laws of 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to theatres in the city of New York,' passed March 18, 1859; and to extend the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the American Trading Company of Borneo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to vest the title to certain lands in 'The Westfield and Portland Union Cemetery Association,' and to authorize said association to affirm and enforce certain allotments and assessments," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE

Beach	Chapman	Hubbard	Morgan	Palmer
Bradley	Edwards	Humphrey	Morris	Parker
Campbell	Folger	Kennedy	Nichols	Van Petten
Cauldwell	Hale	Mattoon	Nicks	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to Nancy Crawford all the estate, right title and interest of the people of the State of New York of, in and to certain premises and real estate, situate in the village of Clintonville, in the county of Clinton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Parker
Beach	Creamer	Kennedy	Nicks	Pierce
Bradley	Edwards	Mattoon	Norton	Van Petten
Campbell	Folger	Morgan	Palmer	Williams
Cauldwell	Hale	Morris		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cauldwell offered the following resolution:

*Resolved*, That there be printed of the annual report of the Inspectors of State Prisons, 700 copies for the use of the Inspectors, and 500 for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

The Assembly returned the following entitled bill, with a message that they had concurred in the further amendment of the Senate thereto:

"An act to extend the time for the collection of taxes in the several towns and cities of this State."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Cauldwell moved to reconsider the vote upon the final passage of the bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864; and the several acts amending the same."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Parker	
Beach	Creamer	Hubbard	Nichols	Pierce	
Bradley	Edwards	Mattoon	Nicks	Van Petten	
Campbell	Folger	Morgan	Norton	Williams	
Cauldwell					21

On motion of Mr. Cauldwell and by unanimous consent, said bill was amended by striking out subdivision 1 of section 3, printed bill.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morris	Parker	
Beach	Chapman	Kennedy	Nichols	Pierce	
Bradley	Creamer	Mattoon	Nicks	Van Petten	
Campbell	Edwards	Morgan	Palmer	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer offered the following resolution:

*Resolved*, That when the Senate adjourns to-day, it adjourn to meet on Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

*Resolved*, That hereafter, all bills introduced which seek to repeal or amend any law, shall contain the title in full of such law.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Williams, the Senate adjourned.

MONDAY, FEBRUARY 3, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Reese.

The journal of Friday was read and approved.

Mr. Thayer presented a petition of citizens of the county of Essex, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Also, a petition of D. D. Briggs and others, in favor of the repeal of law constructing pier bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Also, a petition of citizens of Lansingburgh, in favor of a law submitting to the people the question whether the Capital Police law shall continue in force, which was read and referred to the committee on municipal affairs.

Mr. Folger presented a petition of John S. Mills, of New York city, for privilege to run cars through certain streets and avenues in said city, which was read and referred to the committee on railroads.

Mr. Humphrey presented a petition of Z. W. Barrett, for damages to his land caused by the overflowing of waters on the Genesee Valley canal, which was read and referred to the committee on claims.

Mr. Stanford presented a remonstrance of citizens of Canajoharie, against the repeal of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Robert Gordon, and Frances Gordon, his wife," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to enable Robert Gordon, and Frances Gordon, his wife, and each of them to hold and transmit such real estate in this State as they or either of them shall actually occupy for his or her own use," and as amended, recommend its passage; said bill was committed to the committee of the whole.

The President presented the annual report of the trustees of the Astor Library, for the year 1867, which was laid on the table and ordered printed.

(See Doc. No. 23.)

Mr. Bradley offered the following resolution:

*Resolved*, That 500 copies of said report be printed for the use of the trustees.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Folger gave notice that he would, on some future day, ask leave to introduce a bill relative to the disposition of surplus moneys arising upon sales on foreclosure of mortgage by advertisement under the statute.

In pursuance of previous notice, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing notaries public of the State of New York to perform duties now performed by commissioners of deeds,' passed April 15, 1859,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act in relation to the duties and compensation of the county clerk of the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act for the relief of Augustus Bockes, executor of the last will and testament of Gertrude C. Doe, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the McDonough Union Cemetery Association to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize school district No. 10, of the town of Binghamton, to borrow money to build a school house, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly sent for concurrence the bill entitled as follows:

"An act to close Flood alley, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Nichols offered the following resolution:

*Resolved*, That a respectful message be sent to the Hon. the Assembly, requesting it to transmit to this House the papers on its files relative to the application of Peter Gowans for confirmation of title to certain real estate in the city of Buffalo, and that when received, they be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857; and revived by an act passed April 20, 1867."

"An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Arthur Owens."

"An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Thomas Owens."

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the last named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the charter of the Mechanics' Savings Bank, of Rochester."

"An act to release to August Steilen the interest of the State in certain real estate."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Chapman, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Banks, the Senate adjourned.

## TUESDAY, FEBRUARY 4, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Kennedy presented a petition of citizens of Syracuse, for the establishment of a recorder's court in that city, which was read and referred to the committee on the judiciary.

Mr. O'Donnell presented twenty remonstrances against the repeal of the Metropolitan Excise law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Stanford presented a petition of sixty-four citizens of the State of New York, praying for the abolition of the repair contract system on the canals, which was committed to the committee of the whole.

Mr. Murphy presented a petition of Mary Wyatt, for release of lands in Brooklyn, which was read and referred to the committee on the judiciary.

Mr. O'Donnell presented two remonstrances, against the appointment of receiver of taxes in the town of Westchester, which was laid on the table.

Mr. Van Petten presented a petition of J. H. Lynes and others, for an amendment of game laws, so far as they pertain to taking fish from the Otsego lake, which was read and referred to the committee on the judiciary.

Mr. Hale presented four petitions of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which were read and referred to the committee on finance.

Mr. Folger presented a memorial of the trustees of the village of Canandaigua, for relief, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented a memorial of supervisors of Broome county, relative to surrogate's fees, which was read and referred to the committee on the judiciary.

Mr. Thayer presented resolutions of the board of supervisors of the county of Washington, in regard to the location of new county buildings, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the election of an additional justice of the peace in the city of Syracuse," reported in favor of the pas-

sage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to release to August Steilen the interest of the State in certain real estate."

"An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Thomas Owens."

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857; and revived by an act passed April 20, 1867."

"An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Arthur Owens."

Mr. Humphrey gave notice that he would, on some future day, ask leave to introduce a bill for the appraisal and payment of canal damages to Zachens W. Barrett, William Huggins and John Roberts.

Mr. Murphy gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the East River Tunnel Company, for the cities of New York and Brooklyn.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill relative to the investing and loaning of the funds and moneys of certain corporations of this State.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to legalize the official acts of Martin R. Lefever," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act in relation to the court of sessions in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act in relation to the disposition of surplus moneys arising on sales of mortgaged premises, sold pursuant to chapter 8, of part 3, of title 15 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to increase the compensation of supervisors in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a tunnel under the East river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to intro-

duce a bill entitled "An act to authorize the board of supervisors of Kings county, to raise the sum of \$50 000 to reimburse the amount borrowed for the support of the poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend section 282 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia Railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend chapter 486 of the Laws of 1867, in relation to the Dutchess and Columbia railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857; and revived by an act passed April 20, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Murphy	Palmer
Beach	Edwards	Morgan	Nichols	Stanford
Campbell	Hubbard	Morris	Nicks	Thayer
Chapman	Humphrey			

17

## FOR THE NEGATIVE.

Folger

1

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Arthur Owens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Stanford
Beach	Creamer	Kennedy	Nicks	Thayer
Bradley	Edwards	Morgan	O'Donnell	Tweed
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Murphy		

28

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Thomas Owens," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Murphy	Palmer
Beach	Creamer	Kennedy	Nichols	Thayer
Bradley	Edwards	Morgan	Nicks	Tweed
Campbell	Genet	Morris	O'Donnell	Van Petten
Cauldwell	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to August Steilen the interest of the State in certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Campbell	Hubbard	Morris	Palmer	Van Petten
Cauldwell	Humphrey	Nichols		

18

## FOR THE NEGATIVE.

Creamer	Edwards
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2

Mr. Humphrey moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the charter of the Mechanics' Savings Bank, of Rochester."

"An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings Co., passed April 23, 1867.'"

"An act authorizing any life insurance company, or any trust or loan company or savings bank to invest their funds in the town bonds issued by the towns of Gardiner, Shawangunk and New Paltz, and by the village of Middletown, in the county of Ulster, and the second election district of the town of Montgomery, Orange county."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Palmer, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act ceding to the United States' jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxation and assessments."

"An act to authorize the 'Bloss Coal Mining and Railroad Company,' a corporation of the commonwealth of Pennsylvania, to hold real estate in this State to a limited amount, for the purposes of its business."



After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The President announced the following appointments, to take effect from the first day of the session:

Assistant Postmaster, John F. Mines; Janitor, James Tanner; Keeper Senate Chamber, Nathaniel Goodwin; President's Messenger, Josiah Downs; Postmaster's Messenger, Temple Parker; Sergeant-at-Arms' Messenger, John W. Hannan; Pages, first half session, A. C. Brady, Richard Stafford, William Kennedy, George B. Cadwell, William Wilcox; Second half session, George Blood, John G. Kinney, A. W. Erwin, Eugene Wood, C. Van Valkenburgh.

On motion of Mr. Kennedy, the Senate adjourned.

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### WEDNESDAY, FEBRUARY 5, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. McGee.

The journal of yesterday was read and approved.

Mr. Kennedy presented petitions and memorials for the incorporation of dental societies in this State, which were read and referred to the committee on medical societies and public health.

Mr. Humphrey presented a petition of William W. Huggins, for payment of damages occasioned by filtering of water through the banks of the Genesee Valley canal, which was read and referred to the committee on claims.

Also, a petition of John H. Roberts, upon same subject, which was read and referred to the committee on claims.

Mr. Nicks presented a petition for the passage of a bill to amend chapter 485 of the Laws of 1864, which was read and referred to the committee on canals.

Mr. O'Donnell presented a remonstrance of citizens of Jefferson county, against altering the channel of Perch river, in Jefferson county, which was read and referred to the committee on commerce and navigation.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend the Metropolitan Excise law, by extending time for collection of license fees," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act explanatory of chapter 578 of the Laws of 1867, entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan police district of the State of New York,'" and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings Co.,' passed April 23, 1867."

"An act ceding to the United States jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxation and assessments."

"An act to authorize the 'Bloss Coal Mining and Railroad Company,' a corporation of the commonwealth of Pennsylvania, to hold real estate in this State to a limited amount, for the purposes of its business."

"An act to amend the charter of the Mechanics' Savings Bank, of Rochester."

The Assembly sent for concurrence the bill entitled as follows:

"An act making appropriations for support of common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Jefferson Society, of the city of New York."

Also, a bill to incorporate the Deposit Loan Institution, of the city of New York."

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend section 5, of chapter 294 of the Laws of 1857, relating to compensation of registers, poll clerks, &c., in New York and Kings counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend section 21, of article 3, of title 5, of chapter 1, part 4 of the Revised Statutes, relating to obstructing railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act for the appraisal and payment of canal damages to Zacheus W. Barrett, William Huggins and John Roberts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of money for current expenses of the town of Flatbush, Queens county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to change the number of Accord Lodge No. 421, of I. O. O. F., incorporated under chap. 842, Laws of 1867, to Accord Lodge No. 160," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Kennedy asked and obtained leave to

introduce a bill entitled "An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, George G. Breed, Edmund Merry and David Hubbard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and public health.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend chapter 565 of Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to suppress the sale of adulterated and explosive oils in the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Cartmen's Protective Union, of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to amend chapter 625 of the Laws of 1866, entitled 'An act authorizing the towns in the counties of Jefferson and Lewis, to take stock in the Black River Valley railroad,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend the charter of the Mechanics' Savings Bank, of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morris	Norton
Beach	Creamer	Humphrey	Murphy	Pierce
Bradley	Edwards	Kennedy	Nichols	Tweed
Campbell	Beach	Morgan	Nicks	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the 'Bloss Coal Mining and Railroad Company,' a corporation of the commonwealth of Pennsylvania, to hold real estate in this State to a limited amount, for the purposes of business," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hubbard	Kennedy	Murphy	Pierce	
Creamer	Humphrey	Morgan	Nicks	Tweed	
Folger					11

## FOR THE NEGATIVE.

Banks	Bradley	Edwards	Morris	Nichols	
Beach	Cauldwell	Genet			8

Mr. Hubbard moved to reconsider the vote just taken, and that that motion be laid upon the table

The President put the question whether the Senate would agree to said motion to lay upon the table, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Norton	
Beach	Edwards	Humphrey	Murphy	O'Donnell	
Bradley	Folger	Kennedy	Nichols	Pierce	
Campbell	Genet	Morgan	Nicks	Tweed	
Cauldwell					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed offered the following resolution:

*Resolved*, (if the Assembly concur,) That the Legislature will on Wednesday, February 12th, at 12 o'clock M., proceed to the election of a Commissioner of Metropolitan Police, in place of John G. Bergen, deceased.

*Ordered*, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

"An act to provide for the election of an additional justice of the peace in the city of Syracuse."

Assembly, "An act explanatory of chapter 578 of the Laws of 1866, entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan police district of the State of New York.'"

"An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863."

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the first named bill, with amendments.

On motion of Mr. Kennedy and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Norton	
Bradley	Edwards	Humphrey	Murphy	O'Donnell	
Campbell	Folger	Kennedy	Nichols	Pierce	
Cauldwell	Genet	Morgan	Nicks	Tweed	20

By unanimous consent, the rule was suspended and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. Hubbard, from the same committee, reported in favor of the passage of the second named bill, without amendment.

On motion of Mr. Tweed and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morris	Norton	
Beach	Creamer	Humphrey	Murphy	O'Donnell	
Bradley	Edwards	Kennedy	Nichols	Pierce	
Campbell	Genet	Morgan	Nicks	Tweed	20

By unanimous consent, the rule was suspended and the Clerk ordered to transmit said bill to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same.

Mr. Hubbard, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to regulate searches in the offices of the register and clerk of the city and county of New York.

On motion of Mr. Creamer, the Senate adjourned.

THURSDAY, FEBRUARY 6, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Williams presented a memorial of citizens of Lodi and Milo, for the passage of the bill establishing a ferry across Seneca lake, at Lodi village, which was read and referred to the committee on commerce and navigation.

Mr. Hale presented six petitions, for State aid to the Albany and Susquehanna railroad, which was read and referred to the committee on railroads.

Mr. Mattoon presented a petition of citizens of Oswego, for an armory in said city, which was read and referred to the committee on finance.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the the bill entitled "An act to provide for completion of the Wallabout improvement of the city of Brooklyn," reported in-favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Inspe-

tors of State Prisons, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the annual report of the Inspectors of State Prisons, 700 copies for the use of the Inspectors, and 500 for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Trustees of the Astor Library, reported in favor of the adoption of the following resolution:

*Resolved*, That 500 copies of the annual report of the Trustees of the Astor Library, be printed for the use of the Trustees.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the special report of the Superintendent of the Banking Department, reported in favor of the adoption of the following resolution:

*Resolved*, That 2,500 extra copies of the special report of the Superintendent of the Banking Department, on savings banks, be printed for the use of the Superintendent (of which number 500 shall be bound), and to be distributed by him to savings banks for the use of their trustees and officers, and 1,500 copies for the use of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, Feb. 5, 1868.

*Resolved*, That a respectful message be sent to the Senate, requesting that body to transmit to the Assembly the papers on their files relative to the claim of Ovid Plumb and others, for canal damages, and when received, said papers be referred to the committee on claims.

By order.

C. W. ARMSTRONG, Clerk.

*Ordered*, That the Clerk transmit said papers to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the sale and conveyance of the Jamestown Academy and site, and a portion of the site of the Central School, of the Union Free School district No. 1, of the town of Ellicott," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act for the relief of Edward Todd," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to change the name of the Second Presbyterian Church and Society of Watertown, to the Stone Street Presbyterian Church of Watertown,' passed April 1, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Bicker Cholim Benevolent Society of the City of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to alter the Commissioners' map of the city of Brooklyn,' passed April 22, 1867," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the employment and payment at the county expense of a stenographer for the county court and court of sessions of the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, Feb. 5, 1868.

*Resolved*, That the honorable the Senate be respectfully requested to transmit to this House the testimony, or a copy thereof, taken by a joint committee of the Senate and Assembly, appointed to inquire into the management of the canals of this State, the departments thereof, and the conduct of any person now or heretofore connected with said canals; also, to inquire into the acts of the Canal Contracting Board, and into the acts of the Canal Board, and into the awards made for canal damages, and in reference to canal breaks and the non-performance of contracts; and also the testimony, or a copy thereof, taken by the Senate committee, charged with the duty of inquiring into the management of the canals, and that the same be referred to a select committee of five, with instructions to inquire and report whether sufficient cause is shown for the impeachment of any canal officer or officers elected under the Constitution of this State, and if such cause, in the opinion of said committee, is shown; that the said committee present such officer or officers for impeachment; and that the said committee, in the prosecution of the said inquiry, have leave to take such further evidence as they may deem expedient, and that they have power to send for persons and papers.

By order.

C. W. ARMSTRONG, *Clerk*.

*Ordered*, That the Clerk transmit said testimony to the Assembly.

The President presented the memorial of the Bond Street Homoeopathic Dispensary, of New York, for State aid, which was read and referred to the committee on finance.

Mr. Folger gave notice that he would, on some future day, ask leave to introduce a bill to authorize the Commissioners of the Land Office to sell certain real estate escheated to the State.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to construct a railroad in Lexington avenue, Broadway, and other streets and avenues in the city of New York.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to protect ice ponds in the counties of Westchester, Rockland and Putnam, against willful injury.

Mr. Kennedy gave notice that he would, on some future day ask leave to introduce a bill to amend the charter of the village of Baldwinsville.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to incorporate the Union Foundry Company, of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to repeal chapter 400 of Laws of 1867, authorizing the extension of Central avenue, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Mattoon asked and obtained leave to intro-

duce a bill entitled "An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide for its construction over the Oswego canal,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The bill entitled "An act ceding to the United States jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxation and assessment," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morgan	Parker	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Chapman	Humphrey	Nichols	Stanford	Williams
Edwards	Kennedy	Nicks		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nichols offered the following resolution:

*Resolved*, That the Canal Commissioners report to the Senate, without delay, what the present depth of the water in the Ohio basin in Buffalo is, and whether the same needs dredging, and if it needs dredging, why the same has not been dredged, and whether any appropriation for that purpose is necessary, and if so, how much it will cost to dredge the basin to its original depth.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon presented the annual report of the Oswego City Library, for 1868, which was laid on the table and ordered printed.

(*See Doc. No. 25.*)

Mr. Mattoon offered the following resolution:

*Resolved*, That 500 copies of the annual report of the Trustees of the Oswego City Library, be printed for the use of the Trustees.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Folger offered the following resolution:

*Resolved*, That the State Engineer and Surveyor be and he hereby is requested to visit and inspect in person, if practicable, the State canal harbors at the head and at the foot of Seneca lake, and to report to the Senate at an early day, if any and what amount, will be required to put the same in such condition as will protect canal boats navigating the Cayuga and Seneca, and Chemung canals.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

"An act to amend section 1, of chapter 182 of Laws of 1846, in relation to the recording of wills."

"An act to declare the belief that all repair contracts of the canals of this State, and work repairs and dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28th, 1866, on which proposals contracts were afterward let and entered into, are fraudulent and void, and to provide for legal proceed-



ings to establish the fact thereof, and to declare the same void, and to recover all sums of money paid on said contracts beyond a reasonable compensation for the work done thereunder."

"An act to repeal chapter 547 of the Laws of 1866, entitled 'An act to amend chapter 62 of the Laws of 1846, and other acts additional to the same,' passed April 18, 1866."

After some time spent therein, the President resumed the chair, and Mr. Morgan, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Morgan, from the same committee, reported that they have made some amendments to the last named bill, and amended the title by adding thereto as follows: "and to amend section 2 of chapter 399 of the Laws of 1849, entitled 'An act to prevent fraud in the returns made to the Comptroller of sales at auction,' passed April 11th, 1849," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

A message from His Excellency the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, February 6, 1868. }

*To the Senate:* I respectfully transmit a communication from the Secretary of the Navy, asking that jurisdiction be ceded to the United States over certain property in the city of Brooklyn, purchased for the purpose of extending the Navy Yard.

R. E. FENTON.

*Ordered,* That said communication be laid on the table and printed.

(See Doc. No. 22.)

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill in relation to the salaries of the common council of the city of New York.

Also, an act to incorporate the United States Contracting Company.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Depositors Loan Institution, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to incorporate the Nassau Boat Club, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Fire Proof Warehousing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Genet offered the following resolution:

*Resolved,* That the clerk of the Contracting Board be and he is hereby requested to transmit to the Senate a copy of the correspondence between the Contracting Board and the Attorney General, in reference to the repair contract letting of December 28, 1866.

The President put the question whether the Senate would agree to go said resolution, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to enable Robert Gordon and Frances Gordon his wife, and each of them, to hold and transmit such real estate in this State, as they or either of them shall actually occupy, for his or her own use."

"An act making appropriation for deficiencies in existing appropriation, to meet existing claims and demands against the State."

After some time spent therein, the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act explanatory of the provisions of chapter 578 of the Laws of 1866, entitled 'An act to regulate the sale of intoxicating liquors in the Metropolitan police district of the State of New York.'"

*Ordered*, That the Clerk return said bill to the Assembly.

On motion of Mr. Williams, the Senate adjourned.

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## FRIDAY, FEBRUARY 7, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

Mr. Nicks presented a remonstrance of forty citizens of Bath, Steuben county, against repeal of the act to amend the charter of said village, passed April 3, 1867, which was read and referred to the committee on municipal affairs.

Mr. Van Petten presented a remonstrance of citizens of Brooklyn, against any repeal or modification of the excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Bradley presented a petition of citizens of New York, in favor of the People's Metropolitan and Suburban railway, which was read and referred to the committee on railroads.

Messrs. Creamer and Cauldwell presented petitions upon same subject, which were read and referred to the committee on railroads.

Mr. Parker presented a remonstrance of A. B. James and others, against the proposed amendment of the Ogdensburgh school law, which was read and referred to the committee on literature.

Mr. Hale presented two petitions of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which were read and referred to the committee on finance.

Mr. Mattoon presented a petition of the 48th Regiment New York

State National Guard, and citizens of Oswego city, for an armory in the city of Oswego, which was read and referred to the committee on finance.

Mr. Morgan presented a remonstrance of Seneca Indians of the Cattaraugus Reservation, against the passage of any law authorizing an allotment of their lands, or authorizing a lease of their lands to white people.

Mr. Morgan moved that the same be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 24.)

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the extension of the charter of the Greenport and Shelter Island Ferry Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on canals, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide for its construction, over the Oswego canal,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Wallkill Valley Railroad Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend the act to facilitate the construction of the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof, passed April 7th, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend section 1, of chapter 182 of Laws of 1846, in relation to the recording of wills."

"An act to enable Robert Gordon and Frances Gordon his wife, and each of them, to hold and transmit such real estate in this State, as they or either of them shall actually occupy, for his or her own use."

"An act to repeal chapter 547 of the Laws of 1866, entitled 'An act to amend chapter 62 of the Laws of 1846, and other acts additional to the same,' passed April 13, 1866; and to amend section 2, of chapter 399 of the Laws of 1849, entitled 'An act to prevent fraud in the returns made to the Comptroller of sales at auction,' passed April 11, 1849."

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to increase the compensation of supervisors in the county of Onondaga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to provide for the rebuilding of a bridge across the outlet made by the State of the Onondaga lake," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence, the bills entitled as follows:

"An act to incorporate the Wood Library Association of Canandaigua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act authorizing the trustees of the board of education of Union Free School district No. 2, of the town of West Farms, Westchester county, to raise money to build an addition to their school house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to repeal section 1, of the act entitled 'An act to amend the charter of the village of Bath, in the county of Steuben,' passed April 3, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Comptroller of this State to repay certain moneys to the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to prohibit the gas companies of the city of Brooklyn from collecting rent on their meters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Sixth Avenue Savings Bank, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to legalize certain bonds of the village of Watkins, in the county of Schuyler, and to provide for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York and Brooklyn Passenger and Baggage Company.

Mr. Thayer gave notice that he would, on some future day, ask leave to introduce a bill to establish a receiver of taxes in the village of Greenbush, and to amend several acts in relation to said town and village.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to authorize the erection of ice-breakers at Fink's Bridge, in the county of Herkimer, at the expense of the towns of Little Falls, Manheim and Danube," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the Erie Railway Company to lay down railroad tracks through certain streets in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate the Binghamton and Port Dickinson Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize Lewis Runyon to establish and maintain a ferry across the Seneca lake, at Lodi landing," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to protect ice ponds in the counties of Westchester, Rockland and Putnam, against wilful injury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 1847, and the several acts amending the same, so far as the same relates to the village of Baldwinsville, Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to regulate the compensation of the treasurer of the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the New York, Brooklyn and New Jersey Pneumatic Transit Company, and to authorize said company to construct tunnels under Hudson and East rivers, and certain streets and places in the city of New York, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the transportation of passengers in the city of New York, by means of street railways, to be constructed through certain streets and avenues therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a certain railway in the city of New York, to be known as 'The People's Metropolitan and Suburban Railway,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend section 1, of chapter 182 of Laws of 1846, in relation to the recording of wills," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Tweed
Bradley	Edwards	Morris	Parker	Van Petten
Campbell	Humphrey	Nichols	Pierce	Williams
Cauldwell	Kennedy	Nicks	Thayer	19

#### FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal chapter 547 of the Laws of 1866, entitled 'An act to amend chapter 62 of the Laws of 1846, and other acts additional to the same,' passed April 13, 1866; and to amend section 2 of chapter 399 of the Laws of 1849, entitled 'An act to prevent fraud in the returns made to the Comptroller of sales at auction,' passed April 11, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Thayer
Campbell	Edwards	Mattoon	Norton	Tweed
Caldwell	Folger	Morris	Parker	Van Petten
Chapman	Genet	Nichols	Pierce	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bradley moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to release to August Steilen the interest of the State in certain real estate."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Thayer
Bradley	Edwards	Morris	Norton	Tweed
Campbell	Folger	Murphy	Parker	Van Petten
Caldwell	Humphrey	Nichols	Pierce	Williams
Chapman	Kennedy			

22

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Norton	Thayer
Beach	Creamer	Morris	Parker	Tweed
Bradley	Edwards	Murphy	Pierce	Van Petten
Campbell	Folger	Nichols	Stanford	Williams
Caldwell	Humphrey	Nicks		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Robert Gordon and Frances Gordon his wife, and each of them, to hold and transmit such real estate in this State, as they or either of them shall actually occupy, for his or her own use," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Norton	Stanford
Beach	Creamer	Morris	Palmer	Thayer

Bradley  
Campbell  
Cauldwell

Edwards  
Folger  
Kennedy

Murphy  
Nichols  
Nicks

Parker  
Pierce

Tweed  
Van Petten

23

## FOR THE NEGATIVE.

Humphrey

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed called for the consideration of the concurrent resolution, as follows:

*Resolved*, (if the Assembly concur,) That the Legislature will, on Wednesday, February 12th, at 12 o'clock *m.*, proceed to the election of a Commissioner of Metropolitan Police, in place of John G. Bergen, deceased.

Mr. Tweed moved to amend by striking out the words "in place of John G. Bergen, deceased," and inserting in lieu thereof the words "to serve for eight years from the 1st day of March, 1868, in place of the late John G. Bergen."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Mattoon offered the following resolution:

*Resolved*, That when the Senate adjourn this day, it be until Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Trustees of the Oswego City Library, reported in favor of the adoption of the following resolution:

*Resolved*, That 300 copies of the annual report of the Trustees of the Oswego City Library, be printed for the use of the Trustees.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

## MONDAY, FEBRUARY 10, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of Friday was read and approved.

Mr. Hale presented two petitions of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Van Petten presented a remonstrance of Clark S. Mills and others, of Brooklyn, against the repeal of the present excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Thayer presented a remonstrance of N. T. Gibson and thirty-five other citizens of Whitehall, against the present canal contract system, which was read and referred to the committee on canals.

Mr. Parker presented a petition of citizens of Brasher, St. Lawrence county, for authority to remove burying-ground, which was read and referred to the committee on the judiciary.

Also, a remonstrance against interfering with Rouse's Point bridge, which was read and referred to the committee on commerce and navigation.

Mr. Campbell presented a petition of citizens of the State, in behalf of the family of the late Chauncey E. Goodrich, which was read and referred to the committee on finance.

Mr. Chapman presented a remonstrance of citizens and taxable inhabitants of Ithaca, against the passage of the bill to enlarge the powers of taxation of the board of trustees of said village, which was read and referred to the committee on municipal affairs.

Mr. Hubbard presented a petition of citizens of the Chenango Valley, for an appropriation to complete the extension of the Chenango canal, which was read and referred to the committee on finance.

Mr. Nichols presented resolutions of the common council of Buffalo, asking for repeal of law for keeping canals in repair by contract, and return to former system of repairs, necessity of increased facilities of transportation by doubling or enlarging locks, and for improvement of Black Rock harbor, which were read and referred to the committee on canals.

The President presented a communication from the Canal Board, transmitting the correspondence between the late Attorney-General and the Contracting Board, in reference to the repair contract letting of December 28th, 1866, as requested by a resolution of the Senate, February 6th, 1868; which was laid on the table and ordered printed.

(See Doc. No. 26.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the Ithaca Water Works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 385 of the Laws of 1867, being an act to incorporate the village of Warwick," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Industrial Savings Bank, of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Murray Hill Savings Bank.

Also, a bill relative to ordinances and contracts for street pavements in the city of New York.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act providing for relief against illegal taxation in the county of Monroe, and city of Rochester, and confirming the acts of the board of supervisors of Monroe county, and the common council of Rochester, in respect thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act for the removal of obstructions from the outlet of Cayuga lake and Seneca river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.



Mr. O'Donnell offered the following resolution:

*Resolved*, That for the purpose of regulating taxation, the Comptroller be requested to transmit to the Senate, at as early a day as practicable, a statement giving in separate columns the name or title of all stock corporations in this State organized or doing business under special or general laws, the place where the principal business office of the company or corporation is situated, the amount of capital paid in, the present amount of capital stock, the amount of funded debt, the number of shares, the par value of shares, the amount of surplus funds not divided, the amount of any sinking fund, or other fund or funds, held or controlled, the average annual net earnings on capital for the past five years, the average annual percentage of such earnings to capital for the same period, and the amount at which the corporate property was assessed in 1867, for town, county and State purposes; with power under this resolution to propound questions to the officers of said corporations or to boards of supervisors or local officers, on any of the foregoing heads, and to require answers thereto verified by affidavit, and in such form as he shall deem necessary to carry out the object of this resolution; and each corporation or company doing business under the laws of this State are hereby required to report to the Comptroller by the first day of March, 1868, in accordance with the terms of this resolution.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford offered the following resolution:

*Resolved*, That the papers on file in the Senate relative to the claim of Wm. McClary for canal damages, be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Mattoon, the Senate adjourned.

## TUESDAY, FEBRUARY 11, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. McAdam.

The journal of yesterday was read and approved.

Mr. Van Petten presented a petition of W. J. Hutchinson and others, of New York city, in favor of the present excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Kennedy presented a petition of John Greenway and others, for a modification of the excise law, in respect to the sale of ale and beer, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Morris presented three petitions of Hon. George Barker and others, asking for an act to appropriate the sum of \$20,000 to build a bridge across the Cattaraugus creek, at Upper Irving, which was read and referred to the committee on finance.

Mr. Nichols presented resolutions of the common council of Buffalo, asking the Legislature to urge Congress to make appropriations for improvement in the harbor of Buffalo, according to the plan of the U. S. Board of Engineers in charge of harbor improvements on the lakes, which were read and referred to the committee on finance.

Mr. Folger presented a petition for iron bridge over the outlet of Seneca lake, at the foot of that lake, which was read and referred to the committee on canals.

Mr. Parker presented a petition of citizens of the county of Franklin, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Hubbard presented a petition of citizens of Norwich, for an appropriation to complete the extension of the Chenango canal, which was read and referred to the committee on finance.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to protect ice ponds in the counties of Westchester, Rockland and Putnam, against willful injury," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the erection of ice-breakers at Fink's Bridge, in the county of Herkimer, at the expense of the towns of Little Falls, Manheim and Danube," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to regulate the compensation of the county treasurer of the county of Onondaga," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act supplemental to the act entitled 'An act to provide for the erection of an armory in the city of Schenectady,' passed April 28, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' passed April 11, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the election of corporation officers in the village of Randolph, and their acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide means for the construction and completion of the court house, clerk's office and jail at Little Valley, Cattaraugus county, and to amend the first section of chapter 566 of the Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend the certificate of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the Park Central Presbyterian Society of Syracuse to perfect its incorporation, and confirm grants heretofore made it," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act relative to ordinances and contracts for street pavements, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to appoint commissioners of fisheries for the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a bridge over Cattaraugus creek, at Upper Landing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the resolution adopted by the Senate on the tenth day of February inst., requesting the Comptroller to transmit to the Senate a statement in relation to all stock corporations in this State, and authorizing him to propound questions and requiring reports to be made by such corporations, be extended and applied in all its parts to all joint stock associations and navigation companies doing business or having their place of business within the State, and that said associations and companies report to the Comptroller in accordance with the terms of said resolutions.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morris offered the following resolution:

*Resolved*, (if the Assembly concur,) That the new capitol commissioners be and they are hereby instructed not to take down or in any manner interfere with the State Library building, nor with the buildings known as the Congress Hall property, until authorized so to do by a vote of the Legislature.

*Ordered*, That said resolution be laid on the table.

Mr. Morris moved that the committee on roads and bridges be discharged from the further consideration of the petition for the construction of a bridge across the Cattaraugus creek, at Irving, and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the extension of the charter of the Greenport and Shelter Island Ferry Company."

"An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht."

"An act making appropriation for deficiencies in existing appropriation, to meet existing claims and demands against the State."

After some time spent therein, the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Kennedy, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. O'Donnell moved to recommit said bill to the committee on canals, and that it retain its place on general orders.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Murphy	O'Donnell	Stanford
Cauldwell	Hubbard	Nichols	Palmer	Thayer
Folger	Morris	Norton	Parker	Van Petten
Genet				

16

FOR THE NEGATIVE.

Mattoon	Tweed	Williams
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8

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central Railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

"An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide by appropriation for its construction over the Oswego canal,'"

"An act to increase the compensation of supervisors in the county of Onondaga."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Nichols, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Assembly returned the concurrent resolution for the election of Commissioner of Metropolitan Police, with a message that they had concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bill entitled as follows:

"An act relating to the last will and testament of Benjamin Chamberlain, and promote education," which was read the first time, and by unanimous consent was also read the second time.

Mr. Van Petten moved that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act relating to the last will and testament of Benjamin Chamberlain, and to promote education."

After some time spent therein, the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of said bill, without amendment.

On motion of Mr. Van Petten and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a

majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Thayer
Bradley	Genet	Mattoon	Palmer	Tweed
Campbell	Graham	Morris	Stanford	Van Petten
Cauldwell				

16

## FOR THE NEGATIVE.

Crowley	Nichols	O'Donnell	Parker	Williams
Folger				

6

Mr. O'Donnell moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Bradley offered the following preamble and resolutions:

*Whereas*, Since the meeting of the Senate on Friday last, the "Angel of Death" has entered the halls of this Legislature and taken from amongst us our late associate, Mr. James Reed, Member of Assembly from the county of New York;

*And whereas*, It is always meet and customary to take suitable notice of such melancholy and lamentable events; therefore,

*Resolved*, That in the death of James Reed, we are again reminded of the uncertainty of human life and of man's littleness, however great and prominent the station in public or private to which he may have been called by his fellow citizens, or which he by his private virtue may enjoy; and, death, the sturdy silent messenger working at the will of the Almighty and beneficent God, cometh, man knoweth not when, and striking down the rich and poor, the exalted and lowly, admonishes us of God's infinite power, inscrutable wisdom, and divine mercy.

*Resolved*, That in the death of James Reed, the people of this State have lost the services of an able, impartial and fearless servant, the members of the Legislature a kind, worthy and courteous associate, his constituents a faithful, energetic and honest representative.

*Resolved*, That as a mark of respect to his memory, the Senate do now adjourn.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Whereupon, the Senate adjourned.

WEDNESDAY, FEBRUARY 12, 1868.

The Senate met pursuant to adjournment.

Prayer, by Rev. Dr. Coit.

The journal of yesterday was read and approved.

Mr. Murphy presented a petition of Joseph T. Bridges, N. G. Palmer and H. A. Miller, a committee, &c., to lay out a road at East New York, which was read and referred to the committee on roads and bridges.

Also, a petition of certain residents of the 3d school district of the town of New Lots, for authority to borrow \$10,000 to build school house, which was read and referred to the committee on literature.

Mr. Hale presented two petitions of L. B. Treadway and 104 other citi-

ness of Essex county, for the abolition of the contract system on the canals, which were read and referred to the committee on canals.

Also, a petition of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. O'Donnell presented a remonstrance of members of the police department of Brooklyn, against repeal of Metropolitan excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten presented a petition of James S. Case and others, of the Young Men's Christian Association, of Brooklyn, in favor of the present excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Mattoon presented a petition from the 18th Regiment of N. Y. State National Guard, and citizens of Oswego, for an armory in said city, which was read and referred to the committee on finance.

Mr. Hubbard presented a petition of citizens of Chenango county, for an appropriation to complete the extension of the Chenango canal, which was read and referred to the committee on finance.

Mr. Nichols presented a petition of E. G. Spaulding and others, for aid to the Providence Lunatic Asylum, of Buffalo, which was read and referred to the committee on finance.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of A. N. Deming, acting chairman of the board of trustees of Potsdam, for an extension of the boundaries of Potsdam village, reported by bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11th, 1859;' passed April 8th, 1861,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of the electors of the village of Potsdam for authority to issue bonds and levy taxes to pay for Normal School site, reported by bill entitled "An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal School buildings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of citizens of Canandaigua, for canal basin at foot of Main street, reported by bill entitled "An act in relation to the excavation and construction of a canal and basin with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of citizens of Penn Yan, for amendment to charter, reported by bill entitled "An act to so amend section 1 of title 1 of the act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan as to include within the corporate limits of said village the new addition to the cemetery of said village," which was

read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing and providing for the election of a police justice and a constable, in the village of Addison, in the county of Steuben, and for the erection of a jail or lock-up therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the petition of G. C. Verplanck and others, for amendment of charter of General Theological Seminary of P. E. Church of United States, reported by bill entitled "An act to amend an act entitled 'An act to incorporate the General Theological Seminary of the Protestant Episcopal Church in the United States,' passed April 5th, in the year of our Lord 1822," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to change the number of Accord Lodge No. 421, I. O. O. F., incorporated under chapter 852, Laws of 1867, to Accord Lodge, No. 160," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide by appropriation for its construction over the Oswego canal.'"

"An act to increase the compensation of supervisors in the county of Onondaga."

"An act to extend the charter of the Greenport and Shelter Island Ferry Company."

"An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht."

Mr. Parker, from the committee on insurance, to which was recommit-  
ted the bill entitled "An act for the relief of the Franklin Fire Insurance Company," reported in favor of the passage of the same.

Mr. Bradley moved to refer said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to change the name of the Second Presbyterian Church and Society, of Watertown, to the Stone Street Presbyterian Church, of Watertown,' passed April 1, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented a communication from the Constitutional Convention, as follows:

CONSTITUTIONAL CONVENTION, ALBANY, Feb. 10, 1868.

*Resolved*, That this Convention earnestly and respectfully recommend the Legislature of this State to make a further and permanent provision for persons of this State disabled in the military and naval service of the United States, in the war for the suppression of the late rebellion; and

that the Secretary of this Convention be directed to transmit a copy of this resolution to the Senate and Assembly of this State, now in session.

*Ordered*, That said resolution be referred to the committee on finance.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill relative to the investing and loaning of the funds and moneys of certain corporations of this State.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to relieve certain railroad companies from making annual reports," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to repeal an act passed April 22, 1867, in relation to fees of constables of the county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act concerning investments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to incorporate the trustees of the Minard Fund for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act relating to the village of Niagara city, in the county of Niagara, and to provide for the more efficient collection of village taxes, and assessments therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to create a Harbor District and board of wharves and piers thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act amending chapter 895 of the Laws of 1867, in relation to the Brooklyn, Prospect Park and Flatbush Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain lands under water," which was read the first time, and by unanimous consent



was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act relative to the powers and duties of the commissioners of the sinking fund of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act relative to corporation elections, and to prevent their dissolution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act in relation to insane indigent persons in the 8th judicial district of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beach gave notice that he would, on some future day, ask leave to introduce a bill to amend the charter of the Schoharie Kill Bridge Turnpike Company.

Mr. Thayer gave notice that he would, on some future day, ask leave to introduce a bill to facilitate the settlement of losses with insurance companies.

The bill entitled "An act to increase the compensation of supervisors in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Norton	Stanford	
Beach	Creamer	Hubbard	O'Donnell	Thayer	
Bradley	Edwards	Kennedy	Palmer	Tweed	
Campbell	Genet	Murphy	Parker	Van Petten	
Cauldwell	Graham	Nichols	Pierce		24

#### FOR THE NEGATIVE.

Crowley	Humphrey	Morris	Nicks	4
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht," having been announced for a third reading.

On motion of Mr. Murphy and by unanimous consent, said bill was amended by adding to section two as follows:

"And filed in the office of the clerk of the town of New Utrecht."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Parker
Beach	Creamer	Hale	Murphy	Pierce
Bradley	Crowley	Hubbard	Nichols	Stanford
Campbell	Edwards	Humphrey	Nicks	Tweed
Cauldwell	Genet	Kennedy	Norton	Van Petten

26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide by appropriation for its construction over the Oswego canal,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	Norton	Thayer
Campbell	Graham	Morris	O'Donnell	Van Petten
Cauldwell	Folger	Murphy	Palmer	Williams
Chapman	Hubbard			

27

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the extension of the charter of the Greenport and Shelter Island Ferry Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Thayer
Beach	Creamer	Humphrey	Nicks	Tweed
Bradley	Edwards	Kennedy	Palmer	Van Petten
Campbell	Graham	Mattoon	Parker	Williams
Cauldwell	Hale	Morris	Pierce	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hubbard moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to authorize the 'Bloss Coal Mining and Railroad Company,' a corporation of the commonwealth of Pennsylvania, to hold real estate in this State to a limited amount, for the purposes of its business."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	Norton	Thayer

Bradley	Graham	Kennedy	Palmer	Tweed	
Campbell	Hale	Nichols	Pierce	Van Petten	
Cauldwell					21

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Pierce	
Beach	Creamer	Kennedy	Norton	Thayer	
Bradley	Edwards	Morris	Palmer	Tweed	
Campbell	Graham	Nichols	Parker	Van Petten	
Cauldwell	Hubbard				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Murphy moved that the executive session to-day, be postponed until after the joint meeting of the Senate and Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and after some time spent therein, the hour of 12 o'clock having arrived, the President resumed the chair, and announced that, pursuant to law and agreeably to a concurrent resolution of the Senate and Assembly, the Senate would proceed to the nomination of a candidate for the office of Commissioner of Metropolitan Police, to serve for eight years from the first day of March, 1868; when each Senator, as his name was called by the Clerk, rose in his place, and nominated as follows:

FOR MATTHEW T. BRENNAN.

Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Morris	Norton		14

FOR IRA BUCKMAN, JR.

Campbell	Kennedy	Palmer	Stanford	Van Petten	
Chapman	Mattoon	Parker	Thayer	Williams	
Humphrey	O'Donnell				12

FOR HENRY R. PIERSON.

Crowley	Hale	Nicks			8
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No person having received a majority of all the votes cast, the President stated there had been no choice.

Messrs. Jacobs and Pitts, a committee from the Assembly, appeared in the Senate chamber and announced that the Assembly had made a nomination for Commissioner of Metropolitan Police, and were ready to meet the Senate and compare nominations.

Mr. Creamer offered the following resolution:

*Resolved*, That the Senate now proceed to meet the Assembly in joint meeting, for the purpose of electing a Commissioner of Metropolitan Police.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President of the Senate here stated that in his judgment the Senate could not legally proceed to a joint meeting with the Assembly until after a nomination has been made by the Senate, and accordingly he requested the Senate to excuse his attendance as their President at such joint meeting, and to select a temporary President therefor.

Mr. Murphy moved that Hon. A. X. Parker, Senator from the 17th district, be chosen as President *pro tem.*, to preside over the joint meeting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Humphrey moved to reconsider the vote by which the resolution of Mr. Creamer was adopted.

The President put the question whether the Senate would agree to to said motion, and it was decided in the affirmative.

Mr. Hale moved that the Senate again proceed to nominate a candidate for the office of Commissioner of Metropolitan Police, to serve for eight years from the first day of March next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon each Senator, as his name was called, rose in his place and nominated as follows:

#### FOR IRA BUCKMAN, JR.

Campbell	Humphrey	Nicks	Parker	Van Petten	
Chapman	Kennedy	O'Donnell	Stanford	Williams	
Hale	Mattoon	Palmer	Thayer		14

#### FOR MATTHEW T. BRENNAN.

Beach	Creamer	Graham	Nichols	Pierce	
Bradley	Edwards	Hubbard	Norton	Tweed	
Cauldwell	Genet	Morris			18

A quorum having voted, and a majority having named Ira Buckman, jr., as their choice, the President announced that Ira Buckman, jr., of the county of Kings, had been nominated on the part of the Senate as the candidate for the office of Commissioner of Metropolitan Police, to serve for eight years from the first day of March, 1868.

Mr. Kennedy offered the following resolution:

*Resolved*, That a committee of two be appointed to wait upon the Hon. the Assembly, and inform that body that the Senate have made a nomination for Commissioner of Metropolitan Police, and are ready to meet the Assembly and compare nominations.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Messrs. Kennedy and Bradley were appointed as such committee; who afterwards reported that they had performed that duty.

The President having resumed the chair, stated that the Senate would now proceed in a body to the Assembly chamber for the purpose of proceeding to a joint ballot for the election of a Police Commissioner for the Metropolitan Police District.

Mr. Nichols stated that the President having at a previous stage of proceedings requested to be excused from accompanying the Senate to the Assembly chamber, for the purpose of going into joint ballot, and the Senator from the 17th having been appointed President *pro tem.*, he desired to know who was to act as President of the Senate, while proceeding to joint ballot.

The President stated that as the Senate had reconsidered its action and nominated a Police Commissioner, the legal reason for his former announcement and request had passed, and that it was accordingly his duty under the law to preside at the joint convention of the two Houses.

The President accordingly left the chair and with the Senate proceeded to the Assembly chamber, and on comparing nominations for Commissioner of Metropolitan Police, to serve for eight years from the first day of March, 1868, they were found not to agree, the Senate hav-

ing nominated on their part, Ira Buckman, jr., and the Assembly, Matthew T. Brennan.

Thereupon, the Senate and Assembly proceeded in joint meeting, pursuant to statute, to ballot for a Commissioner of Metropolitan Police, to serve for eight years from the first day of March, 1868, and the ballots having been taken and counted, it appeared from the report of the tellers that the whole number of votes cast was one hundred and forty, of which Matthew T. Brennan received eighty-four, and Ira Buckman, jr. received sixty.

The President of the Senate thereupon announced and declared that Matthew T. Brennan, of New York, having received a majority of all the votes cast, was duly elected Commissioner of Metropolitan Police, to serve for eight years from the first day of March, 1868.

The President also announced that the business for which the joint convention was held, having been concluded, it was now dissolved.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings to have taken place.

The Senate then went into executive session, and after some time spent therein, the doors were opened, and the Senate again resolved itself into a committee of the whole, and resumed the consideration of the bills entitled as follows:

"An act authorizing any life insurance company, or any trust or loan company or savings bank to invest their funds in the town bonds issued by the towns of Gardiner, Shawangunk and New Paltz, and by the village of Middletown, in the county of Ulster, and the second election district of the town of Montgomery, Orange county."

"An act for the relief of the Franklin Fire Insurance Company."

"An act in relation to Wallkill Valley Railroad Company."

After some time spent therein, the President resumed the chair, and Mr. Norton, from said committee, reported that they have made some amendments to the first named bill, and amended the title so as to read, "An act authorizing any life insurance company, or any trust company, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Norton, from the same committee, reported progress on the two last named bills, and asked leave to sit again.

Mr. Bradley moved to disagree with the report of the committee of the whole upon the second entitled bill, and that the same be ordered engrossed for a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, on granting leave, on the last entitled bill, and it was decided in the affirmative.

Mr. Mattoon offered the following resolution:

*Resolved*, (if the Assembly concur,) That when the Legislature adjourn on Friday, the 14th instant, it adjourn to Tuesday, the 25th instant, at 11 o'clock A. M.

*Ordered*, That said resolution be laid upon the table.

On motion of Mr. Creamer, the Senate adjourned.

## THURSDAY, FEBRUARY 13, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Pullman.

The journal of yesterday was read and approved.

Mr. O'Donnell presented fifty remonstrances against the repeal of the Metropolitan Excise law, for city of Buffalo, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Creamer presented a petition of citizens of New York, in favor of the People's Metropolitan and Suburban Underground railroad, which was read and referred to the committee on railroads.

Mr. Morgan presented a petition of citizens of Rochester, for a swing bridge across the Erie canal, at Exchange street, Rochester, which was read and referred to the committee on canals.

Mr. Folger presented a petition of citizens of Geneva, for an iron bridge over the outlet of Seneca lake, which was read and referred to the committee on canals.

Mr. Parker presented a remonstrance against the Ogdensburgh School law, which was read and referred to the committee on literature.

Mr. Tweed presented a petition from citizens of New York, in favor of the People's Metropolitan and Suburban Underground railroad, which was read and referred to the committee on railroads.

Mr. Norton presented a petition from citizens of New York, upon the same subject, which was read and referred to the committee on railroads.

Mr. Chapman presented two remonstrances, against amending the charter of Ithaca, which were read and referred to the committee of the whole.

Mr. Banks presented a memorial of Dr. Edward Duffy, which was read and referred to the committee on finance.

Mr. Bradley presented a petition for a People's railroad on the Third avenue, as proposed in the bill introduced by Mr. Genet, which was read and referred to the committee on railroads.

Mr. Hale presented two petitions of citizens of the county of Essex, for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Also, a petition of inhabitants of town of Brandon, county of Franklin, to have part of said town annexed to the town of Houston, which was read and referred to the committee on the erection and division of towns and counties.

Also, a petition of citizens of Hamilton, upon same subject, which was read and referred to the committee on the erection and division of towns and counties.

Mr. Hubbard presented a petition of citizens of Norwich, for an appropriation to complete the extension of the Chenango canal, which was read and referred to the committee on finance.

Mr. Stanford presented a petition of citizens of this State, for the repeal of the repair contract system of the canals, which was read and referred to the committee on canals.

Mr. Banks presented a petition of forty citizens upon same subject, which was read and referred to the committee on canals.

Mr. Van Petten presented a petition of officers and members of the Father Matthew Society in Brooklyn, in favor of the present Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Nichols presented a petition of Giles Shell and others, for canal damages, which was read and referred to the committee on claims.

Mr. Bradley, from the committee on insurance, to which was referred the petition of the Irving Fire Insurance Company for amendment to charter, reported by bill entitled "An act to amend the charter of the Irving Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the trustees of McDonough Village Union Cemetery Association, to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize certain bonds of the village of Watkins, in the county of Schuyler, and to provide for the payment of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act empowering the board of supervisors of the county of Westchester, to require the collectors of the different towns in that county to pay over taxes at stated times," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to enable the Park Central Presbyterian Society of Syracuse, to perfect its incorporation, and to confirm grants heretofore made to it," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to extend the powers of the French Benevolent Society, and to amend chap. 211 of the Laws of 1819," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from a majority of the committee of the judiciary, to which was referred the bill entitled "An act to transfer to the trustees of the Newark Cemetery Association, the possession and control of the old burying grounds in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the New York Elevator Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the erection of piers and wharves in the Harlem river, below Second avenue," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act for the relief of the Franklin Fire Insurance Company."

"An act authorizing any life insurance company, or any trust or loan company, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this state."

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to revise the charter of the city of Auburn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the several acts heretofore passed relating to the village of Sherburne," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act relating to the village of Niagara city, in the county of Niagara, and to provide for the more efficient collection of village taxes and assessments therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the Laws in relation to the village of Ithaca, in the county of Tompkins,' passed April 21, 1864," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to theatres in the city of New York,' passed March 18, 1859; and to extend the same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, Feb. 11, 1868.

*Whereas*, A large number of soldiers and sailors were disabled by long and meritorious service in the victorious armies and navies of the United States during the late war; and *whereas*, the said soldiers and sailors are now pensioners on the bounty of the United States Government; and *whereas*, honorable positions of trust and profit exist at the disposal of the government that said disabled soldiers and sailors are competent and qualified to fill; therefore,

*Resolved* (if the Senate concur), That our Senators and Representatives in Congress be requested to pass some law providing for the employment of said disabled soldiers and sailors, or their appointment to positions in the several custom houses, light houses, arsenals and dock yards of the United States, at such pay as Congress may by law direct.

By order.

C. W. ARMSTRONG, Clerk.

*Ordered*, That said resolution be laid on the table.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 761 of the Laws of 1865, entitled 'An act to incorporate the Bay Side and New York Ferry Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend section 46, article 3d, title 1, chap-



ter 8 of the 2d part of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to found a Presbyterian hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act in relation to the Second Particular Baptist Church and Society, of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to provide for the transmission of letters, packages and merchandise in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize exchange of public property for public uses, between the Commissioners of Emigration, and the Commissioners of Public Charities and Correction," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize additional facilities for the interment of the pauper dead in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act for the more effectual prevention of incendiary fires, and for the detection and arrest of offenders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to repeal chapter 489 of the Laws of 1867, entitled 'An act to provide for the construction of an experimental line of railway in the counties of New York and Westchester,'" which was read the first time, and by unanimous consent was also read the second time.

Mr. Norton moved to refer said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend the act to incorporate the General Synod of the Reformed Protestant Dutch Church," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend the act to incorporate the Board of Foreign Missions of the Reformed Protestant Dutch Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Board of Publication of the Reformed Protestant Dutch Church,' passed March 28, 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled 'An act to amend chapter 460 of the Laws of 1837, entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to authorize the Commissioners of the Land Office to sell certain real estate escheated to the State, in the town of Jerusalem, Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the village of Warsaw to lay out, open and alter, widen, repair and improve highways, public grounds and parks, in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Murray Hill Savings Bank, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Beach asked and obtained leave to introduce a bill entitled "An act amending acts relating to highway labor on the turnpike road of the Schoharie-kill Bridge Company, and commutation therefor," passed April 17, 1851; April 14, 1859, and April 18, 1862; and also to repeal the 3d section of the act entitled 'An act to amend the charter of the Schoharie-kill Bridge Company,' passed March 29, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend section 8, of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend chapter 338 of the Laws of 1858, in relation to assessments on real estate in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the East River Tunnel Company, for the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act for the relief of the Franklin Fire Insurance Company," having been announced for a third reading.

On motion of Mr. Parker and by unanimous consent, the same was amended by inserting in section 1, line 6, printed bill, after the word "return" the words "to the receiver of."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Norton	Stanford
Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Genet	Morris	Palmer	Tweed
Campbell	Graham	Murphy	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams
Chapman	Humphrey			

27

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing any life insurance company, or any trust or loan company, or savings bank, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Norton	Stanford
Campbell	Genet	Morgan	Parker	Van Petten
Cauldwell	Graham	Morris	Parker	Williams
Chapman	Hubbard	Nichols		

18

FOR THE NEGATIVE.

Banks	Crowley	Folger	Thayer	Tweed
Bradley				

6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nichols offered the following preamble and resolution:

*Whereas*, The Board of United States Engineers, in charge of harbor improvements on the lakes, have adopted and recommended certain plans for improving the harbor of Buffalo, largely facilitating the movement of the various products of the great North West, which naturally seek that port on their way to the markets of the world; and whereas, the common council of the city of Buffalo have requested the Legislature of this State to urge upon Congress the importance of making the necessary appropriations therefor, at an early day; therefore,

*Resolved*, (if the Assembly concur,) That our Senators and Representatives be, and they are hereby requested to urge upon Congress the vital importance of a speedy appropriation of the sums necessary to carry out the plans so recommended by the Board of Engineers, for the improvement of the harbor of Buffalo, and that his Excellency the Governor be, and he is hereby requested to transmit a copy of this resolution to our Senators and Representatives in Congress.

*Ordered*, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the completion of the Wallabout improvement of the city of Brooklyn."

"An act relative to the collection of taxes in the town of Potsdam, in the county of St. Lawrence."

"An act relative to the collection of taxes in the town of Canton, in the county of St. Lawrence."

After some time spent therein, the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to declare the belief that all repair contracts of the canals of this State, and work repairs and dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28th, 1866, on which proposals contracts were afterward let and entered into, are fraudulent and void, and to provide for legal proceedings to establish the fact thereof, and to declare the same void, and to recover all sums of money paid on said contracts beyond a reasonable compensation for the work done thereunder."

"An act in relation to Wallkill Valley Railroad Company."

"An act to provide for the rebuilding of a bridge across the outlet, made by the State, of the Onondaga lake."

After some time spent therein, the President resumed the chair, and Mr. Van Petten, from said committee, reported that they have made some amendments to the first named bill, and amended the title so as to read "An act to authorize the Attorney-General to institute suits for the purpose of annulling certain contracts entered into by the State for the repairs of the canals," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Parker moved that said bill be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cressner  
Felger

Humphrey  
Murphy

O'Donnell  
Parker

Tweed

Van Petten  
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## FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Morris	Palmer
Beach	Crowley	Kennedy	Nichols	Pierce
Bradley	Edwards	Mattoon	Nicks	Thayer
Cauldwell	Genet	Morgan	Norton	Tweed

20

The President then put the question whether the Senate would agree to the report of the committee of the whole, granting leave to sit again, and it was decided in the affirmative.

Mr. Folger presented a communication from O. B. Latham, one of the Commissioners of the New Capitol Building, together with criticisms upon the plan for a new capitol, submitted by him to the Governor, which memorial and criticisms were ordered printed and referred to the committee on finance.

(See Doc. No. 27.)

Mr. Folger moved to reconsider the vote had upon the final passage of the bill entitled "An act authorizing any life insurance company, or loan or trust company, or savings bank, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to provide for the election of an additional justice of the peace in the city of Syracuse."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Mattoon called for the consideration of the resolution in the words following:

*Resolved*, (if the Assembly concur,) That when the Legislature adjourn on Friday, the 14th instant, it adjourn to meet on Tuesday, the 25th, at 11 o'clock A. M.

Mr. Folger moved to amend said resolution by striking out the word "fourteenth" and inserting "twenty-first;" and also by striking out the words "Tuesday, the 25th, at 11 o'clock A. M.," and inserting "Monday, the 24th, at 7½ o'clock P. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce
Bradley	Folger	Morgan	Nicks	Thayer
Campbell	Graham	Morris	Palmer	Williams
Chapman	Humphrey	Murphy		

18

## FOR THE NEGATIVE.

Beach	Edwards	Mattoon	Parker	Tweed
Cauldwell	Genet	O'Donnell	Stanford	Van Petten
Creamer	Hubbard			

12

Mr. Murphy moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Parker	Tweed
Cauldwell	Genet	O'Donnell	Stanford	Van Petten
Creamer	Hubbard			

12

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce	19
Bradley	Folger	Morgan	Nicks	Thayer	
Campbell	Graham	Morris	Norton	Williams	
Chapman	Humphrey	Murphy	Palmer		

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The question being upon the amendment of Mr. Folger,

Mr. Creamer moved to further amend said resolution by striking out "Friday, the 14th," and inserting "Thursday, the 20th;" and also by striking out "11 o'clock A. M.," and inserting "7½ o'clock P. M."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Pending the question upon the amendment of Mr. Folger,

Mr. Folger moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nichols	Stanford	18
Bradley	Crowley	Graham	Nicks	Thayer	
Campbell	Edwards	Kennedy	Pierce	Williams	
Cauldwell	Folger	Morris			

FOR THE NEGATIVE.

Beach	Humphrey	Murphy	Palmer	Tweed	12
Creamer	Mattoon	O'Donnell	Parker	Van Petten	
Hubbard	Morgan				

Whereupon the Senate adjourned.

FRIDAY, FEBRUARY 14, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sheldon.

The journal of yesterday was read and approved.

Mr. Williams presented a petition relative to draining Cayuga marshes, which was read and referred to the committee on canals.

Mr. Tweed presented a petition of John H. Anthon, of New York, for return of moneys paid by him for auction fees, which was read and referred to the committee on finance.

Mr. Nicks presented a remonstrance of eighty-seven citizens of Bath, against repeal of section 1 of the act to amend the charter of the village of Bath, which was read and referred to the committee on municipal affairs.

Mr. Banks presented a petition of inhabitants and tax payers of Greenbush, Rensselaer county, for the repeal of the Capital Police law, so far as the same applies to Greenbush, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Hale presented six petitions of citizens of Clinton county, for State aid to the Whitehall and Plattsburgh railroad, which were read and referred to the committee on finance.

Mr. Edwards presented a petition of inhabitants of the town of Brookhaven, in relation to the election of town officers, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Graham presented a petition of citizens of Sullivan county, for the repeal of the act authorizing the assessment of highway labor upon the Jeffersonville and Monticello turnpike road, passed March 20th, 1867, which was read and referred to the committee on roads and bridges.

Mr. Tweed presented a memorial of the Chamber of Commerce of the State of New York, relative to the obstruction to navigation at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Morris presented a petition relative to rights and status of the issue of marriages of Seneca Indians with white women, which was read and referred to the committee on the judiciary.

Mr. Tweed presented a petition of Aaron Lovett, a soldier of the war of 1812, for an appropriation to pay certificate held by him, which was read and referred to the committee on finance.

Mr. Edwards presented a petition of inhabitants of Mattituck, in Suffolk county, in favor of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. O'Donnell presented a remonstrance of citizens of New York, against the repeal of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten presented a petition in favor of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Stanford, from a majority of the committee on canals, to which was referred the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nichols dissented, and stated his intention to make a minority report at an early day.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the trustees of the Minard Fund, for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act in relation to the Second Particular Baptist Church and Society of the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860, and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the consolidation of the Richfield

Springs and Herkimer, and the Richfield Springs and Cooperstown Telegraph Companies," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Mary Watt for a release to her of the interest of the State in certain lands in Brooklyn, reported by bill entitled "An act to release the interest of the people of New York State, in and to certain lands in the city of Brooklyn, to Mary Watt," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Peter Gowans for confirmation of the title to certain real estate in the city of Buffalo, reported by bill entitled "An act to release the interest of the people of the State of New York in and to certain lands in the city of Buffalo, to Peter Gowans," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Catharine Chadwick," reported that they have made some amendments thereto, and amended the title so as to read "An act to release to Catharine Chadwick the interest of the State in certain moneys arising on a sale of real estate now held by the surrogate of Oneida county," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the widow and heirs of William C. Northrup," reported adversely thereto.

Mr. Hubbard moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the town of Hastings, Oswego county, to elect one additional justice of the peace," reported adversely thereto.

Mr. Mattoon moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the trustees of the board of education of Union Free School district No. 2, of the town of West Farms, Westchester county, to raise money to build an addition to their school house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to authorize school district No. 10, of the town of Binghamton, to borrow money to build a school house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the official acts of Joshua S. Bliss, a justice of the peace," reported in favor of the passage of the same, with



amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to found a Presbyterian hospital," reported in favor of the passage of the same.

Mr. Tweed moved to refer said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the city of Ogdensburg," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 385 of the Laws of 1867, being an act to incorporate the village of Warwick," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same in one act,' passed April 11, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act for the relief of the poor of the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act for the relief of the poor of the city of New York," reported adversely thereto.

Mr. Creamer moved to disagree to the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion to disagree, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Morris	Pierce	Tweed	
Cauldwell	Hubbard	Nichols			8

FOR THE NEGATIVE.

Banks	Folger	Humphrey	Nicks	Stanford
Beach	Genet	Kennedy	O'Donnell	Thayer
Chapman	Graham	Mattoon	Palmer	Van Petten
Crowley	Hale	Morgan	Parker	Williams
Edwards				

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the supervisor of the town of Denmark, to convey by deed the old burial ground situated near the village of Copenhagen, in said town, to the trustees of Riverside Cemetery Association, and their successors in office, and to specify the qualification of voters in the meetings of said association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the supervisor of the town of Copake, Columbia county, to borrow money upon the credit of the town to reimburse persons who were drafted in the military service of the United States, and who paid commutation therefor or furnished a substitute," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Rensselaer Park Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend the act to provide for the appraisal of and acquiring title to lands taken for or in addition to sites for district school houses," passed April 25, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the Attorney-General to institute suits for the purpose of annulling certain contracts entered into by the State for the repairs of the canals."

"An act in relation to the Wallkill Valley Railroad Company."

"An act to provide for the completion of the Wallabout improvement of the city of Brooklyn."

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain lands under water," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property for the use of presiding elders of the Methodist Episcopal Church,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Yonkers and Alpine Ferry Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to declare and establish the civil rights and status of the issue of marriages of Seneca Indians with white women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to legalize the sale of infants' real estate in the case of the children of Benjamin Curtis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents to taxation,' passed July 2, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cossackie,' passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to establish a railroad from the Wehawken to the Hunter's Point ferry, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank, in the village of Binghamton, Broome county,' passed April 18, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The bill entitled "An act to provide for the completion of the Wallabout improvement of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hubbard	Morgan	Palmer	Van Petten
Chapman	Humphrey	Morris	Parker	Williams
Edwards				

21

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Attorney-General to institute suits for the purpose of annulling certain contracts entered into by the State for the repairs of the canals," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Bradley	Folger	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Morris		

28

FOR THE NEGATIVE.

Creamer      Tweed

Mr. Williams moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Palmer
Beach	Creamer	Hale	Nichols	Van Petten
Bradley	Edwards	Humphrey	Nicks	Williams
Campbell	Folger	Morgan		

18

## FOR THE NEGATIVE.

Cauldwell	Hubbard	Parker	Stanford	Tweed
Crowley	Mattoon	Pierce	Thayer	

9

Mr. Williams moved to recommit said bill to the committee on canals, with instructions to amend as follows:

In section 1, line 1, printed bill, after the word authorized, insert the words "and required," and in line 8, same section, after the word "authorized" insert the words "and required."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Genet	Van Petten	Williams
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8

## FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Pierce
Bradley	Crowley	Hubbard	Nichols	Stanford
Campbell	Edwards	Humphrey	Palmer	Thayer
Cauldwell	Folger	Kennedy	Parker	Tweed
Chapman	Graham	Morgan		

28

Mr. Williams moved to recommit said bill to the committee on canals, with instructions to amend as follows:

In line 2, section 1, printed bill, strike out the words "such action or," and in line 3, same section, strike out "any contractor or" and insert instead "all the," and strike out in 4th and 5th lines, the words "as he shall deem advisable."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Genet	Mattoon	Tweed	Van Petten	Williams
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5

## FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Parker
Beach	Crowley	Hubbard	Nichols	Pierce
Campbell	Edwards	Humphrey	Nicks	Stanford
Cauldwell	Folger	Kennedy	O'Donnell	Thayer
Chapman	Graham	Morgan		

28

Mr. Van Petten moved to recommit said bill to the committee on canals, with instructions to amend as follows:

After line 18, section 1, printed bill, insert: "and the State shall be allowed to offset against the value of work so done and materials furnished, the amount of any and all damages to the State by means of said contracts, or from a want of a proper and faithful performance of the same, and the State shall recover the amount so paid by it after deducting the sum so proved and established, or so much of said sum as there shall be over and above the amount of the damages received."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Williams moved to recommit said bill to the committee on canals, with instructions to substitute the following therefor:

"An act to provide for legal proceedings to set aside and declare void the repair contracts of the canals of this State for work, repairs, and for dredging of the Albany basin, for which proposals were received by the Canal Contracting Board, December 28, 1866, on which proposals contracts were let and entered into, and to recover the money paid upon said contracts, and damages to the State."

SECTION 1. The Attorney-General of this State is hereby authorized, directed, and required to prosecute actions in the name of the people of this State, in the courts of this State, to set aside and have declared fraudulent and void the contracts made with the State for the keeping in repair certain sections of the canal, and for the dredging of the Albany basin, made in pursuance of proposals made to the Canal Contracting Board on the 28th day of December, eighteen hundred and sixty-six, against the contractors named in said contract, or their assignees, or persons in interest; said actions shall also be brought to recover any and all sums of money paid by the State upon said contracts, if said contracts shall be established in such actions to have been let or procured fraudulently, or to be void against the State; and every person who shall have received any portion of said money paid upon any of said contracts, may be joined as a party defendant in such action to set the same aside, whether the contract stands in his name or not; but the defendants in said actions shall be allowed to prove and establish the real value of the work done and materials furnished under said contracts; and the plaintiff in said actions shall be allowed to prove and establish any damages that may have accrued to the State by reason of any failure to perform said contracts, or by reason of any partial performance thereof, or by reason of any neglect on the part of the said contractors; and such damages, if proved and established, shall be deducted from the value of the work done and materials furnished; and the balance remaining after such deduction shall be deducted from the moneys paid by the State on said contracts; and the State shall only recover in said actions the moneys paid by it on said contracts, after deducting therefrom the last named balance. Costs shall be awarded in said actions as the court shall deem just and equitable.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Van Petten Williams

2

#### FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Parker
Beach	Crowley	Hubbard	Nichols	Pierce
Bradley	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Mattoon	Palmer	Tweed
Chapman	Graham	Morgan		

28

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford

Bradley	Folger	Kennedy	O'Donnell	Thayer
Campbell	Hale	Mattoon	Palmer	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Morris		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to Wallkill Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Parker
Beach	Crowley	Hubbard	Nichols	Pierce
Bradley	Edwards	Humphrey	Nicks	Thayer
Campbell	Folger	Kennedy	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Palmer	Williams
Chapman	Graham			

27

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Folger moved to take from the table the motion to reconsider the vote upon the final passage of the bill entitled "An act authorizing any life insurance company, or any trust or loan company, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Nicks	Tweed
Beach	Creamer	Graham	Palmer	Van Petten
Bradley	Crowley	Morgan	Thayer	Williams
Campbell	Edwards	Nichols		

18

## FOR THE NEGATIVE.

Hale	Hubbard	Humphrey	Morris
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4

On motion of Mr. Folger and by unanimous consent, said bill was amended by striking out "and all proceedings had by the commissioners appointed in the several acts authorizing the issue of said bonds in the said towns and election district, are hereby ratified and confirmed."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Morris	Parker
Campbell	Graham	Mattoon	Nichols	Thayer
Cauldwell	Hale	Morgan	Nicks	Van Petten
Chapman	Hubbard			

17

## FOR THE NEGATIVE.

Banks	Creamer	Folger	Pierce	Williams
Bradley	Crowley	Humphrey	Tweed	

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Pierce moved that the communication from the Governor transmitting a communication from the Secretary of the Navy, asking that jurisdiction be ceded to the United States over certain property in the city of Brooklyn for the extension of the Navy Yard, be taken from the table and referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the following committee on the part of the Senate, upon the concurrent resolution relative to officers in the Legislative, Executive and State Departments: Messrs. Folger, Williams and Murphy.

Mr. Mattoon called for the consideration of the concurrent resolution pending at the hour of adjournment yesterday.

Mr. Mattoon moved to amend said resolution so as to read as follows: *Resolved*, (if the Assembly concur,) That when the Legislature adjourn to-day, it adjourn to meet again on Tuesday, the 25th inst, at 7 o'clock P. M.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Parker	Tweed	
Cauldwell	Graham	Mattoon	Stanford	Van Petten	
Creamer	Hale	O'Donnell			18

FOR THE NEGATIVE.

Bradley	Crowley	Kennedy	Nichols	Pierce	
Campbell	Folger	Morgan	Nicks	Thayer	
Chapman	Humphrey	Morris	Palmer	Williams	15

Mr. Mattoon moved further to amend, that when the Legislature adjourn on Thursday, the 20th, it be until Tuesday, the 25th, at 7½ o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nichols	Stanford	
Bradley	Edwards	Mattoon	Nicks	Thayer	
Cauldwell	Graham	Morgan	Palmer	Tweed	
Chapman	Hubbard	Morris	Pierce	Van Petten	20

FOR THE NEGATIVE.

Campbell	Folger	Humphrey	Parker	Williams	
Crowley	Hale	O'Donnell			8

Mr. Parker moved to amend, that when the Legislature adjourn on Saturday, the 16th, it be until Monday, the 18th, at 10 o'clock A. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Humphrey	Nichols	O'Donnell	Parker	Van Petten	
Morris					6

FOR THE NEGATIVE.

Banks	Chapman	Graham	Mattoon	Pierce	
Beach	Creamer	Hale	Morgan	Stanford	
Bradley	Crowley	Hubbard	Nicks	Thayer	
Campbell	Edwards	Kennedy	Palmer	Tweed	
Cauldwell	Folger				

Mr. Hale moved to amend, that when the Legislature adjourn on Saturday, the 16th, it be until Tuesday, the 25th inst., at 7 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Mattoon	Pierce	
Bradley	Crowley	Hubbard	O'Donnell	Stanford	
Campbell	Edwards	Kennedy	Parker	Van Petten	
Cauldwell	Graham				17

## FOR THE NEGATIVE.

Chapman	Humphrey	Morris	Nicks	Thayer	
Folger	Morgan	Nichols	Palmer	Tweed	10

Mr. Humphrey moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Pierce	
Beach	Creamer	Hale	O'Donnell	Stanford	
Bradley	Crowley	Hubbard	Parker	Van Patten	
Campbell	Edwards	Kennedy			18

## FOR THE NEGATIVE.

Chapman	Morgan	Nichols	Palmer	Tweed	
Folger	Morris	Nicks	Thayer	Williams	
Humphrey					11

By unanimous consent the rule was suspended, and the Clerk ordered to transmit said resolution to the Assembly immediately, with a message requesting their concurrence therein.

Mr. Folger moved that the Senate go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session, and after some time spent therein the doors were opened, and

On motion of Mr. Mattoon, the Senate adjourned.

## SATURDAY, FEBRUARY 15, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of yesterday was read and approved.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the petition of citizens of Brasher, St. Lawrence county, for authority to remove burying ground, reported by bill entitled "An act authorizing the removal of the burying ground in school district No. 1, of Brasher, St. Lawrence county, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing



notaries public of the State of New York to perform the duties now performed by commissioners of deeds,' passed April 15, 1859," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 46, article 3d, title 1, chapter 8, of the 2d part of the Revised Statutes," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the duties and compensation of the county clerk of the county of Rensselaer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 5, chapter 1, part 2 of the Revised Statutes," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend section 3, title 5, chapter 1, part 2 of the Revised Statutes, relating to real property and the title thereto," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the communication from the Governor transmitting a communication from the Secretary of the Navy, asking that jurisdiction be ceded to the United States over certain property in the city of Brooklyn for the extension of the Navy Yard; reported by bill entitled "An act consenting to the purchase by the United States of land in the city of Brooklyn, adjacent to the Navy Yard, and for ceding jurisdiction over the same and in front thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act making appropriation for the support of common schools," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to enable the United States Accident Insurance Company, of Syracuse, to withdraw a portion of its securities deposited in the Insurance Department," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks, in said village," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847; and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize the election of corporation officers in the village of Randolph, and their acts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act declaring the effect of judgments of the courts of countries foreign to the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to establish a receiver of taxes in and for the town and village of Greenbush, and to amend the several acts in relation to said town and village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to incorporate the Yorkville Savings Bank, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the election of trustees of the Buffalo City Cemetery,' passed March 9, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act for the more effectual protection of highways and bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Crowley moved that the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to incorporate the Jerauld Institute, of Niagara Falls, for the education of young ladies," and that it be referred to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy offered the following resolutions:

*Resolved*, That the Canal Commissioner having in charge the middle division of the canals, report to the Senate without delay, the present condition of the berme bank and dams on the Oswego canal, and what, if anything, is necessary to be done thereto to fit said canal for navigation; also, the present condition of the several locks on the Chenango canal, and which, if any, and how many of them require to be rebuilt in order that said canal be put in proper condition for navigation; also, whether the completion of the removal of the wall benches, already commenced, on the mile level at Syracuse, is necessary to put the Erie canal at that point in complete navigable condition, and if any repairs in the

above respect are necessary, whether any, and if any, what part thereof is now provided for in any repair contract, and what sum, if any, appropriated for that purpose remains unexpended, and what sum, if any, is necessary to complete said repairs; also, report the amount already paid for each of the above objects.

*Resolved*, That the Canal Commissioner in charge of the eastern division of the canals, report to the Senate without delay, the present condition of the Fort Miller lock, on the Champlain canal, and the apron at the Schoharie creek dam, and what is necessary to be done to them or either of them to put said canal in navigable condition, and whether either and which of them is included in and provided for by any repair contract, what sum is now appropriated for the purpose of such repairs, and what sum, if any, is necessary to be appropriated to rebuild or repair the same, in order that said canal may be put in navigable condition; also, the amount already paid for each of the above named works.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to regulate the compensation of the county treasurer of the county of Onondaga."

"An act in relation to the excavation and construction of a canal and basin, with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua."

"An act to provide for the rebuilding of a bridge across the outlet, made by the State, of the Onondaga lake."

After some time spent therein, the President resumed the chair, and Mr. Banks, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported that they have made some amendments to the second named bill, and amended the title so as to read "An act to authorize the excavation, construction and maintenance of a canal and basin, with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua, and to authorize the trustees thereof to raise money by bond and by tax for that purpose, and to prescribe regulations for the use thereof, and to fix and enforce the penalties for the violation of such regulations," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to so amend section 1 of title 1 of the act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan, as to include within the corporate limits of said village the new addition to the cemetery of said village."

Assembly, "An act authorizing and providing for the election of a police justice and a police constable in the village of Addison, in the county of Steuben, and for the erection of a jail or lock-up therein."

"An act to amend an act entitled 'An act to incorporate the General

Theological Seminary of the Protestant Episcopal Church, in the United States,' passed April 5, in the year of our Lord, 1822."

After some time spent therein, the President resumed the chair, and Mr. Hale, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Nicks moved that the said second named bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to found a Presbyterian hospital, in the city of New York "

Assembly, "An act to legalize certain bonds of the village of Watkins, in the county of Schuyler, and to provide for the payment of the same."

"An act to amend the act entitled 'An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859;' passed April 8, 1861."

"An act to enable the 'Park Central Presbyterian Society of Syracuse,' to perfect its incorporation and to confirm grants heretofore made to it."

After some time spent therein, the President resumed the chair, and Mr. Campbell, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

The Assembly returned the concurrent resolution relative to adjournment, with a message that they had concurred in the passage of the same, without amendment.

On motion of Mr. Bradley, the Senate adjourned.

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## TUESDAY, FEBRUARY 25, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wentworth.

The journal of Saturday, February 15th, was read and approved.

Mr. Banks presented a remonstrance of citizens of Greenbush, Rensselaer county, against the proposed amendment of charter, which was read and referred to the committee on municipal affairs.

Mr. Palmer presented a petition of citizens of Yorkville, for a savings bank, which was read and referred to the committee on banks.

Mr. Thayer presented a remonstrance of citizens of Whitehall, against the present system of canal repairs, which was read and referred to the committee of the whole.

Mr. Cauldwell presented a remonstrance of Leonard W. Jerome and other owners of property in the town of Yonkers, against the repeal of the act authorizing the extension of Central avenue, in the county of Westchester, which was read and referred to the committee on roads and bridges.

Mr. Hale presented two petitions of citizens of Clinton county, for improvement of hydraulic power on the Great Chazy river, and to check freshets therein, which were read and referred to the committee on commerce and navigation.

Also, a petition of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Murphy presented a petition of Isabella Jackson, for a release of certain lands, which was read and referred to the committee on the judiciary.

Mr. Van Petten presented a petition of James Feeter, J. Mather and others, for making a certain road in the towns of Fairfield and Little Falls, a highway district, which was read and referred to the committee on roads and bridges.

Mr. Kennedy presented a petition of Charles I. Hutchinson and others of Canastota, for an amendment to the act to provide for the construction of a culvert under the Erie canal at Canastota, which was read and referred to the committee on canals.

Mr. Williams presented a petition of citizens of Cayuga county, for removal of obstructions caused by the construction of the canal across Cayuga marshes, which was read and referred to the committee on canals.

Mr. Campbell presented a petition of supervisors of the city of Utica, asking that the time for the collection of county taxes therein may be extended to the first of April next, which was read and referred to the committee on the judiciary.

Also, a resolution of the New York State Agricultural Society, for relief to the heirs of Chauncey Goodrich, which was read and referred to the committee on finance.

Also, a petition of said society for further appropriation to continue investigation of causes of abortion among the dairy cows of the State, which was read and referred to the committee on finance.

Mr. Nichols, from the minority of the committee on canals, to which was referred the bill entitled "An act for the preservation of the canals of this State, and the abolition of the contract system of repairs," reported in writing, and also by bill entitled "An act to abolish the Contracting Board," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 35.)

The Assembly sent for concurrence the bill entitled as follows:

"An act relative to the Metropolitan district of the State of New York, and to provide excise regulations therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the excavation, construction and maintenance of a canal and basin, with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua, and to authorize the

trustees thereof to raise money by bond, and by tax, for that purpose, and to prescribe regulations for the use thereof, and to fix and enforce the penalties for the violation of such regulations."

"An act to found a Presbyterian hospital in the city of New York."

"An act to enable the 'Park Central Presbyterian Society of Syracuse' to perfect its incorporation and to confirm grants heretofore made to it."

"An act to amend the act entitled 'An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859,' passed April 8, 1861."

"An act to so amend section 1 of title 1 of the act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan, as to include within the corporate limits of said village the new addition to the cemetery of said village."

"An act to regulate the compensation of the county treasurer of the county of Onondaga."

The President presented a communication from the Canal Commissioners, relative to the Ohio basin, in Buffalo, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 36.)

Also, the report of the Harlem Bridge Commissioners to the Legislature, which was laid on the table and ordered printed.

(See Doc. No. 34.)

Also, the 41st annual report of the Board of Trustees of the Northern Dispensary, for 1867, which was laid on the table and ordered printed.

(See Doc. No. 40.)

Also, a communication from the Canal Commissioners, in reply to a resolution of the Senate relative to the Fort Miller lock and Schoharie creek dam, which was laid on the table and ordered printed.

(See Doc. No. 32.)

Also, a communication from the Auditor of the Canal Department, relative to charges against him contained in the report of the committee appointed to investigate canal frauds, which was laid on the table and ordered printed.

(See Doc. No. 33.)

Mr. Tweed gave notice that he would, on some future day, ask leave to introduce a bill to regulate the days and hours the registers and county clerks for the various counties, shall keep open their offices for the transaction of public business.

Mr. Thayer gave notice that he would, on some future day, ask leave to introduce a bill to increase the tax on receipts of all insurance companies doing business within the State.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to authorize the construction of a town hall in the town of Morrisania, Westchester county.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to incorporate the Catskill Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to incorporate the Union Canadian Association of Plattsburgh," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables, in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 22, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to enable foreign corporations incorporated under the laws of any of the several States, to hold lands within the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Industrial Savings Bank of Tarrytown, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act authorizing the common council of the city of Poughkeepsie to build sewers therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act in relation to the salary of the district attorney of Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to exempt normal school boarding houses from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian Reservation, in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

The bill entitled "An act to found a Presbyterian hospital in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Palmer	Thayer
Bradley	Humphrey	Morris	Pierce	Tweed
Campbell	Kennedy	Nichols	Stanford	Van Petten
Cauldwell	Mattoon	O'Donnell		

18

FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the 'Park Central Presbyterian Society of Syracuse' to perfect its incorporation and to confirm grants heretofore made to it," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Palmer	Tweed
Bradley	Humphrey	Morris	Pierce	Van Patten
Campbell	Kennedy	Nichols	Stanford	Williams
Cauldwell	Mattoon	O'Donnell	Thayer	19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hale moved that the bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain lands under water," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain lands under water."

"An act to provide for the rebuilding of a bridge across the outlet, made by the State, of the Onondaga lake."

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central Railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

After some time spent therein, the President resumed the chair, and Mr. Morris, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morris, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morris, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Kennedy, the Senate adjourned.

WEDNESDAY, FEBRUARY 26, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Stover.

The journal of yesterday was read and approved.

Mr. Stanford presented a petition of tax-payers of the town of Saratoga, for the passage of a law to enable the said town to issue bonds to aid the construction of a railroad from the village of Mechanicsville, to intersect the proposed Glen's Falls railroad, which was read and referred to the committee on railroads.



Mr. Cauldwell presented a remonstrance of Edward De Witt and other citizens of Yonkers, against the repeal of the act authorizing the extension of Central avenue, in the county of Westchester, which was read and referred to the committee on roads and bridges.

Also, a petition of H. F. Spaulding and others, for the repeal of said act, which was read and referred to the committee on roads and bridges.

Mr. Norton presented a petition of citizens of New York, for cross-town railroad, which was read and referred to the committee on railroads.

Mr. Folger presented a remonstrance of citizens of Brookhaven, against repeal of law relative to election of town officers, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Mattoon presented a remonstrance of the board of trade in the city of Oswego, against interfering with bridge at Rouse's Point, which was read and referred to the committee on commerce and navigation.

Mr. Stanford presented a petition of 150 citizens of Fort Plain, to bond said village to aid the Northern Central railway, which was read and referred to the committee on railroads.

Mr. Pierce presented a petition of citizens of New York, for cross-town railroad, which was read and referred to the committee on railroads.

Mr. Folger presented a petition of Wm. Thorn and others, for relief by law from the injury done by Erie canal across Cayuga marshes, which was read and referred to the committee on canals.

Mr. Folger presented a remonstrance of citizens of Geneva, against repeal of Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Messrs. O'Donnell, Van Petten and Stanford, presented remonstrances against the repeal of the Metropolitan Excise law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Murphy presented the report of the board of directors of the Brooklyn Institute, for the year 1867, which was laid on the table and ordered printed.

(See Doc. No. 37.)

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to improve the hydraulic power of the Great Chazy river, and to check freshets therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Commissioners of the Land Office to sell certain real estate escheated to the State," reported that they have made some amendments thereto, and amended the title by adding thereto "in the town of Jerusalem, Yates county," and as amended, recommend its passage; said bill was committed to the committee of the whole.

A message from His Excellency the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, February 26, 1868. }

*To the Senate:* I have the honor to transmit an interesting report from Col. Charles B. Norton, a Commissioner from this State to the Paris Exposition of 1867. The report presents a statement of the part taken by our citizens, which is creditable alike to their enterprise, their labor, and their genius.

The report is accompanied with diagrams, which will be found espe-

cially valuable to those who desire a more definite understanding of the exhibition grounds and buildings, and the position assigned to each country represented. I cannot forbear commending Col. Norton to the favorable consideration of the Legislature for his fidelity to the interests of American enterprise, and his constant regard for the comfort of our citizens who attended the exhibition.

R. E. FENTON.

*Ordered*, That said report be laid on the table and printed.

(See Doc. No. 39)

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the New York Auxiliary State Board of Trustees of the American Printing House and University for the Blind.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Veteran Soldiers' Business Association.

Mr. Hubbard gave notice that he would, on some future day, ask leave to introduce a bill to prevent encroachments upon grave-yards.

Mr. Kennedy gave notice that he would, on some future day ask leave to introduce a bill to amend the charter of the Syracuse Savings Institution.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the rebuilding of a bridge across the outlet, made by the State, of the Onondaga lake."

"An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain bays and inlets."

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to incorporate the Wells Seminary for the higher education of young women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend the charter of 'The Home Insurance Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to amend section 1, of chapter 234 of the Laws of 1845, entitled 'An act to amend the law in relation to suits against foreign corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the formation of loan guarantee and warehousing companies," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Prospect Park Savings Bank of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to afford the same facilities to passengers or property transported by steamboats on the Hudson river as is afforded by railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to regulate the days and hours which the offices of clerks of county and registers shall keep open," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to authorize the 42d Street, and Grand Street Ferry Railroad Company to extend their tracks through and upon certain streets and avenues in the city of New York, and to operate their road therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act providing for the erection of a town hall in the town of Morrisania, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the town of Yonkers, in the county of Westchester,' passed April 5, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to permit the village of Fort Plain to subscribe for stock in the Northern Central Railway Company and to raise money to pay such subscription," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to provide for rebuilding the United States Hotel, at Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act requiring the clerk of the county of Onondaga to cause copies of certain maps to be made and filed in his office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the appointment of counsels to prosecute charges against attorneys and counsellors," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act making an appropriation to the Rochester City Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to regulate the compensation of the county treasurer of the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford
Beach	Crowley	Humphrey	Nicks	Thayer
Bradley	Edwards	Kennedy	Norton	Tweed
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Graham	Murphy	Pierce	Williams

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the excavation and construction of a canal and basin, with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua, and to authorize the trustees thereof to raise money by bond, and by tax, for that purpose, and to prescribe regulations for the use thereof, and to fix and enforce the penalties for the violation of such regulations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Stanford
Beach	Creamer	Hubbard	Nichols	Thayer
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Genet	Mattoon	Pierce	Williams
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to so amend section 1 of title 1 of the act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan, so as to include within the corporate limits of said village the new addition to the cemetery of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	Nicks	Thayer
Cauldwell	Graham	Morgan	Norton	Tweed
Chapman	Hubbard	Morris	Pierce	Van Petten
Edwards	Humphrey			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize certain bonds of the village of Watkins, in the county of Schuyler, and to provide for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford
Bradley	Folger	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Norton	Tweed
Cauldwell	Graham	Murphy	Pierce	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain bays and inlets," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Stanford
Bradley	Genet	Morgan	Norton	Thayer
Campbell	Graham	Morris	O'Donnell	Tweed
Cauldwell	Hubbard	Murphy	Pierce	Williams
Chapman	Kennedy			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

The bill entitled "An act to provide for the rebuilding of a bridge across the outlet, made by the State, of the Onondaga lake," having been announced for a third reading,

Mr. O'Donnell moved to recommit said bill to the committee on canals, with instructions to amend by adding the following to section one:

"Providing that the Canal Board are of the opinion that the State ought to build the said bridge."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Humphrey	Nicks	Stanford	Williams
Folger	Murphy	O'Donnell		

## FOR THE NEGATIVE.

Banks	Genet	Mattoon	Nichols	Thayer
Bradley	Hubbard	Morgan	Norton	Tweed
Cauldwell	Kennedy	Morris	Pierce	Van Petten
Edwards				

16

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Thayer
Beach	Crowley	Kennedy	Nichols	Tweed
Bradley	Edwards	Mattoon	Norton	Van Petten
Campbell	Genet	Morgan	Stanford	Williams
Cauldwell	Graham			

22

## FOR THE NEGATIVE.

Humphrey	O'Donnell
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2

Mr. O'Donnell moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Humphrey	Murphy	O'Donnell
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4

## FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Norton	Tweed
Cauldwell	Graham	Morgan	Pierce	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Murphy offered the following resolution:

*Resolved*, That there be printed of the report of Col. Charles B. Norton, New York State Commissioner to the Paris Exposition of 1867, 2,000 extra copies for the use of the Senate, and 1,000 on fine paper for the use of the Governor.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Folger offered the following resolution:

*Resolved*, That the petition of Larmon G. Townsend and the papers connected therewith, and the testimony taken in relation thereto by the committee of claims of the last Senate, be taken from the files and referred to the committee on claims, to examine and report upon.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. O'Donnell offered the following resolution:

*Resolved*, That, in the opinion of the Senate, the Constitutional Convention of the State of New York ought to provide for taking a vote by the people upon the adoption of the new Constitution, but that said vote ought not to be taken until after the general election in November.

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to protect ice ponds in the counties of Westchester, Rockland and Putnam against willful injury."

Assembly, "An act supplemental to the act entitled 'An act to provide for the erection of an armory in the city of Schenectady,' passed April 28, 1866."

"An act to authorize the erection of ice-breakers at Fink's Bridge, in the county of Herkimer, at the expense of the towns of Little Falls, Manheim and Danube."

After some time spent therein, the President resumed the chair, and Mr. Graham, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Graham, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act empowering the board of supervisors of the county of Westchester to require the collectors of the different towns in that county to pay over taxes at stated times."

Assembly, "An act authorizing and providing for the election of a police justice and a police constable in the village of Addison, in the county of Steuben, and for the erection of a jail or lock-up therein."

"An act to amend an act entitled 'An act to incorporate the General Theological Seminary of the Protestant Episcopal Church, in the United States,' passed April 5, in the year of our Lord, 1822."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Bradley, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr Chapman moved that the Assembly bill entitled "An act making appropriations for the support of common schools," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of said entitled bill.

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Williams moved that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Genet, the Senate adjourned.

## THURSDAY, FEBRUARY 27, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Peck.

The journal of yesterday was read and approved.

Mr. Morris presented a petition of citizens of Dunkirk to amend an act entitled "An act to amend the charter of the village of Dunkirk," passed April 20, 1867; which was read and referred to the committee on municipal affairs.

Also, a petition of John S. Briggs and others, to amend an act entitled "An act to make school district No. 9, in the town of Pomfret, a Union Free School district," passed March 17, 1858; which was read and referred to the committee on literature.

Mr. Graham presented a petition of citizens of Port Jervis, for an act for a waterworks company, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented a petition of seventy-five citizens and business firms of Buffalo, for the passage of a law to prevent incendiary fires, which was read and referred to the committee on the judiciary.

Mr. Van Petten presented several remonstrances against the repeal of the Metropolitan Excise law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Nicks presented two petitions of tax payers of Steuben county, for amendments of militia law, which were read and referred to the committee on finance.

Mr. Thayer presented a petition of citizens of the village of Nassau, for repeal of village charter, which was read and referred to the committee on municipal affairs.

Mr. Hubbard presented a petition of citizens of Chenango county, for an appropriation to complete the extension of the Chenango canal, which was read and referred to the committee on finance.

Mr. Kennedy presented a petition of J. W. Barker and others, for a modification of the excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Graham presented a petition of inhabitants of Liberty, Sullivan county, asking for State aid to build the Midland railroad, which was read and referred to the committee on finance.

Mr. Edwards presented three petitions of citizens of the towns of Brookhaven and Huntington, for the repeal of the law of 1867, changing the manner of holding town elections, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Cauldwell presented two remonstrances against the repeal of the act authorizing the extension of Central avenue, in the county of Westchester, which were read and referred to the committee on roads and bridges.

Mr. Edwards presented three petitions of masters and owners of vessels navigating Long Island sound, for an amendment of the Hell Gate pilot laws, which were read and referred to the committee on commerce and navigation.

The President presented a petition of James Anderson, M. D., James W. Beekman, Augustus Schell and others, members, &c., praying that



the name of the Reformed Protestant Dutch Church may not be changed by striking out the words "Dutch" and "Protestant," which was read and referred to the committee on charitable and religious societies.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Shelter Island Wharf and Improvement Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Isabella Jackson, for a release of certain lands, reported by bill entitled "An act to release and convey to Isabella Jackson the interest of the people of the State of New York in certain real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act releasing the interest of the State in certain lands and premises owned by Anthony Bollermann, Carl Bollermann, or Joseph Bollermann, and authorizing their heirs-at-law to hold and convey the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the official acts of John J. Zeh as a justice of the peace of the town of Fulton, Schoharie county, New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the erection of ice-breakers at Fink's Bridge, in the county of Herkimer, at the expense of the towns of Little Falls, Manheim and Danube."

"An act to amend an act entitled 'An act to incorporate the General Theological Seminary of the Protestant Episcopal Church, in the United States,' passed April 5th, in the year of our Lord, 1822."

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide means for the construction and completion of the court house, clerk's office, and jail, at Little Valley, Cattaraugus county, and to amend the first section of chapter 566 of the Laws of 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia railroad," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 486 of the Laws of 1867, in relation to the Dutchess and Columbia railroad," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act to facilitate the acquisition by the Dutchess and Columbia Railroad Company of the real estate required for the purpose of its incorporation, and to allow it to change the northern terminus of its road, and for other purposes,'" and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the board of supervisors of

Kings county to include in the next tax levy the sum of fifty thousand dollars to reimburse the amount borrowed for the support of the poor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for the erection of a town hall in the town of Morrisania, Westchester county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the memorial of Dr. Edward Duffy for relief, reported in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A message from his Excellency the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, *February 26, 1868.* }

*To the Senate:* I respectfully transmit a communication from a special committee of the State Medical Society, in regard to a system for the registration of births, marriages and deaths.

R. E. FENTON.

*Ordered*, That said communication be laid on the table and printed.

(See Doc. No. 38.)

The President presented the annual report of the Society of the New York Hospital, which was laid on the table and ordered printed.

(See Doc. No. 43.)

Also, the fifth annual report of the Society for the protection of Roman Catholic destitute children in the city of New York, which was laid on the table and ordered printed.

(See Doc. No. 42.)

Also, a communication from the Canal Commissioners in charge of the middle division of the canals, in reply to a resolution of the Senate relative to condition of certain portions of the Erie, Oswego and Chenango canals.

Mr. Kennedy moved to refer said communication to the committee on canals, and that the same be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 36.)

The Assembly sent for concurrence the bills entitled as follows:

"An act to enable the town of New Rochelle, in Westchester county, to raise money to build a town hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to secure the payment of mechanics, laborers and persons furnishing materials towards the erection, altering or repairing buildings in the city of New York,' passed May 5, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23d, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pierce gave notice that he would, on some future day, ask leave to introduce a bill to extend Clinton avenue, in the city of Brooklyn, from Atlantic avenue to Prospect park, in said city, upon a line and in the manner to be indicated in said bill.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas, for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Security Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to incorporate the Port Jervis Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to provide for the grading of a street in the city of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to extend the operation of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, and of the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Dutchess County Mutual Insurance Company,' passed April 12, 1836; and an act to continue and extend the same, passed April 9, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to incorporate the board of trade of the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to provide for an additional supply of water in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to regulate searches in the offices of the register and clerk of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the town of Malone, in the county of Franklin, to aid the village school district of said town in completing and furnishing its new school house, and grading the grounds," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Humphrey and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Stanford
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	O'Donnell	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten 20

By unanimous consent, the rule was suspended and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a Union free school district,' passed March 17, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to regulate the fees of the justices of the peace attending as justices of sessions at the criminal term of the several courts of record within the county of Erie," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate the American Security and Warehousing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to prevent encroachments upon grave-yards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to authorize certain life insurance companies to make annual dividends," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8, of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend section 183 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to provide a remedy for erroneous assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Homœopathic Mutual Life Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Assembly bill entitled "An act authorizing and providing for the election of a police justice and a police constable in the village of Addison, in the county of Steuben, and for the erection of a jail or lock-up therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morris	Palmer	Van Petten
Cauldwell	Graham			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the General Theological Seminary of the Protestant Episcopal Church, in the United States,' passed April 5, in the year of our Lord, 1822," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Crowley	Humphrey	Nicks	Thayer
Campbell	Edwards	Kennedy	O'Donnell	Van Petten
Cauldwell	Genet	Morris	Palmer	19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein

The bill entitled "An act to authorize the erection of ice-breakers at Fink's Bridge, in the county of Herkimer, at the expense of the towns of Little Falls, Manheim and Danube," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Caapman	Graham	Morris	Palmer
Beach	Crowley	Hubbard	Nichols	Thayer
Campbell	Edwards	Humphrey	Nicks	Tweed
Cauldwell	Genet	Kennedy	O'Donnell	Van Petten
				20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Morris and by unanimous consent, the rule was suspended and the Assembly bill entitled "An act to provide means for the construction and completion of the court house, clerk's office and jail at Little Valley, Cattaraugus county, and to amend the first section of chapter 566 of the Laws of 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Campbell	Edwards	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Mattoon	Palmer	Van Petten
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols called for the consideration of the concurrent resolution heretofore offered by him, in the words following:

*Whereas*, The Board of United States Engineers, in charge of harbor improvements on the lakes, have adopted and recommended certain plans for improving the harbor of Buffalo, largely facilitating the movement of the various products of the great North West, which naturally

seek that port on their way to the markets of the world; and whereas, the common council of the city of Buffalo have requested the Legislature of this State to urge upon Congress the importance of making the necessary appropriations therefor, at an early day; therefore,

*Resolved*, (if the Assembly concur,) That our Senators and Representatives be, and they are hereby requested to urge upon Congress the vital importance of a speedy appropriation of the sums necessary to carry out the plans so recommended by the Board of Engineers, for the improvement of the harbor of Buffalo, and that his Excellency the Governor be, and he is hereby requested to transmit a copy of this resolution to our Senators and Representatives in Congress.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Morris called for the consideration of the concurrent resolution heretofore offered by him, in the words following:

*Resolved*, (if the Assembly concur,) That the new Capitol Commissioners be and they are hereby instructed not to take down or in any manner interfere with the State Library building, nor with the buildings known as the Congress Hall property, until authorized so to do by a vote of the Legislature.

Mr. Banks offered the following amendment:

Strike out all after the word "concur," and insert the following:

"That the Capitol Commissioners be and they are hereby instructed not to take down or interfere with the Congress Hall property, or the State Library, during the session of the present Legislature."

The amendment having been accepted.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Bradley, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of the Homœopathic Mutual Life Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize the town of Malone, in the county of Franklin, to aid the village school district of said town in completing and furnishing its new school house, and grading the grounds."

Messrs. Mattoon and Cauldwell, from the committee on public printing, to which was referred the resolution to print extra copies of the report of Col. Charles B. Norton, N. Y. State Commissioner to the Paris Exposition of 1867, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the report of Col. Charles B. Norton, New York State Commissioner to the Paris Exposition of 1867, 2,000 extra copies for the use of the Senate, and 1,000 on fine paper for the use of the Governor.

Mr. Humphrey moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to protect ice-ponds in the counties of Westchester, Rockland and Putnam, against willful injury."

"An act to change the number of Accord Lodge No. 421, Independent Order Odd Fellows, incorporated under chapter 852, Laws of 1867, to Accord Lodge No. 160."

"An act to amend the charter of the Homœopathic Mutual Life Insurance Company."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to.

On motion of Mr. Bradley and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	O'Donnell	Tweed
Bradley	Edwards	Mattoon	Pierce	Van Petten
Campbell	Gebet	Nichols	Stanford	Williams
Cauldwell	Hubbard	Nicks	Thayer	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the trustees of McDonough Village Union Cemetery Association to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865."

Assembly, "An act to amend an act entitled 'An act to change the name of the Second Presbyterian Church and Society of Watertown, to the Stone Street Presbyterian Church of Watertown,' passed April 1, 1865."

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein, the President resumed the chair, and Mr. Beach, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Beach, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Beach, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and



proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859."

"An act relating to 'The Village of Niagara City,' in the county of Niagara, and to provide for the more efficient collection of village taxes and assessments therein."

After some time spent therein, the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the trustees of the Minard Fund, for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference."

"An act in relation to the Second Particular Baptist Church and Society of the city of Troy."

"An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860; and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863."

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to provide for the consolidation of the 'Richfield Springs and Herkimer' and the 'Richfield Springs and Cooperstown' Telegraph Companies."

"An act to release the interest of the people of the State of New York in and to certain lands in the city of Buffalo, to Peter Gowans."

"An act to release to Catharine Chadwick, the interest of the State in certain moneys arising on a sale of real estate now held by the surrogate of Oneida county."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize school district number 10, of the town of Bing-

hamton, to borrow money to build a school house, and for other purposes."

"An act to legalize the official acts of Joshua S. Bliss, a justice of the peace."

"An act to authorize the supervisor of the town of Denmark to convey by deed the old burial ground, situated near the village of Copenhagen, in said town, to the trustees of 'Riverside Cemetery Association,' and their successors in office, and to specify the qualifications of voters in the meetings of said association."

After some time spent therein, the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to authorize the town of Malone, in the county of Franklin, to aid the village school district of said town in completing and furnishing its new school house, and grading the grounds."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Pierce, the Senate adjourned.

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#### FRIDAY, FEBRUARY 28, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Thayer presented a remonstrance of citizens of the village of Nassau, against an act to amend the charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Chapman presented two remonstrances of tax-payers of Ithaca, against amendment of village charter, which were read and referred to the committee of the whole.

Mr. Graham presented two petitions of inhabitants of Liberty, Sullivan county, for State aid to build the Midland railroad, which were read and referred to the committee on finance.

Mr. Pierce presented a petition of Jeremiah Hern, for damage arising from falling of a bridge, which was read and referred to the committee on claims.

Also, several petitions of citizens of Brooklyn, in favor of the repeal of the Metropolitan Excise law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Nicks presented a remonstrance of Orson Higgins and others of Bath, Steuben county, against the repeal of the act entitled "An act to amend the charter of the village of Bath, in the county of Steuben," passed April 3, 1867; which was read and referred to the committee on municipal affairs.

Also, a petition of Stephen T. Owens for relief, which was read and referred to the committee on claims.

Mr. Humphrey presented a remonstrance of pew holders of the First M. E. Church in the village of Lima, against the passage of an act authorizing the trustees of said society to rent the pews of their church,

which was read and referred to the committee on charitable and religious societies.

Also, a petition of Silas G. Roberts for canal damages, which was read and referred to the committee on claims.

Mr. Cauldwell presented a remonstrance of the board of trustees of the village of White Plains, Westchester county, against the repeal of the act providing for the extension of Central road or avenue, in the county of Westchester, which was read and referred to the committee on roads and bridges.

Mr. Creamer presented a petition of the Sisters of the Order of St. Dominic, asking for an appropriation, which was read and referred to the committee on municipal affairs.

Mr. Bradley presented a petition of Peter D. Vroom, J. Romeyn Brodhead and others, praying that the words "Dutch" and "Protestant" may not be stricken out of the title of the Reformed Protestant Dutch Church of America, which was read and referred to the committee on charitable and religious societies.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act relative to ordinances and contracts for street pavements in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close Flood's alley, in the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for an additional supply of water in the city of Albany," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Morris, from the committee on the judiciary, to which was referred the petition of supervisors of the city of Utica to extend time for the collection of county taxes, reported by bill entitled "An act to extend the time for the collection of county taxes in the city of Utica, for the year 1867," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Campbell and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Morgan	Norton	Thayer
Campbell	Graham	Morris	O'Donnell	Tweed
Cauldwell	Humphrey	Nichols	Palmer	Van Petten
Chapman				

## FOR THE NEGATIVE.

Genet

1

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, with a message requesting their concurrence therein.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Gerauld Institute of Niagara Falls, for the education of young ladies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Wells Seminary for the higher education of young women," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend the act entitled 'An act to make school district No. 9, in the town of Pomfret, a free school district, and for other purposes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend the charter of the Homœopathic Mutual Life Insurance Company."

"An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860; and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863."

"An act in relation to the Second Particular Baptist Church and Society of the city of Troy."

"An act to protect ice-ponds in the counties of Westchester, Rockland and Putnam, against willful injury."

"An act to change the number of Accord Lodge No. 421, Independent Order Odd Fellows, incorporated under chapter 852, Laws of 1867, to Accord Lodge No. 160."

"An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue."

"An act to authorize the trustees of McDonough Village Union Cemetery Association to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865."

"An act relating to 'The Village of Niagara City,' in the county of Niagara, and to provide for the more efficient collection of village taxes and assessments therein."

"An act to incorporate the trustees of the Minard Fund, for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference."

Mr. O'Donnell, from the committee on finance, to which was referred the petition of the Children's Aid Society for relief, reported by bill entitled "An act in aid of the construction of the Newsboys' Lodging House of the Children's Aid Society of the city of New York, and for the relief

thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act for the more effectual protection of highways and bridges," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known and called Westchester avenue," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act revising, amending and consolidating the several acts in relation to the village of Fort Plain,' passed April 7, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for raising additional money for the use of the academy, new school house, and the library, in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act relating to changing the name of a society from the 'Benevolent Dramatic and Musical Association' to an 'Asylum for Aged and Infirm Hebrews,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 286 of the Laws of 1863, entitled 'An act for the better support of the poor in the city of Poughkeepsie, in the county of Dutchess,' passed April 29, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect three trustees in said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize and empower the society of the First Baptist Church of Boonville, to sell and convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the act entitled 'An act to incorporate the Young Men's Association for Mutual Improvement, in the city of Albany,' passed March 12, 1835," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to incorporate the Turnverein of the city of Brooklyn, eastern district,' passed April 16, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to enable the trustees of the Mendon Congregational Society of Mendon, Monroe county, New York, to sell their church property,' passed March 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act releasing to Mary McGraw all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge, in the town of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the charter of the city of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Rondout Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act regulating the fees of county clerk of the county of Westchester, in relation to transcripts of judgments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the New York Citizen Marksmen Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of Cora Moffat and Myra Moffat, infant children of William B. Moffat, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the construction of certain ditches in the town of Minden, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to legalize certain acts of the trustees of school district No. 14, of Schroepel and Volney," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to release to Catherine D. A. Wacker, the title of this State, acquired by escheat, in and to certain land, and to confirm her title thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to incorporate the Germania Savings Bank, Kings county,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the town of Cazenovia, in the county of Madison, to raise money for repairing and building bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to legalize the acts of James Conley, a justice of the peace in Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill in relation to gas companies in the city of New York.

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to authorize the construction of a railroad through Seventy-ninth street, Lexington avenue, and certain other streets and avenues in the city of New York.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to amend the charter of the Homœopathic Mutual Life Insurance Company."

*Ordered*, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the purchasing and applying of disinfectants for use in State Prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the Freewill Baptist General Conference of North America," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act for the relief of Silas G. Roberts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Rochester Waterworks Company, passed April 16, 1852, to increase the capital stock and to authorize the city of Rochester to aid in the construction of said work, pursuant to section 26 of said act,' passed March 26, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Auxiliary State Board of Trustees of the American Printing House and University for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Burglar Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the Passenger Transit Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Jefferson Society of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the United States Contracting Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866; so far as the same relates to the towns of Newtown, Flushing and Jamaica, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to provide for the election and appointment of a police constable in the village of Forestville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend section 54 of title 4 of chap-



ter 6 of part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to authorize the Astoria and Hunter's Point railroad to change their route," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Campbell presented the 28th annual report of the Managers of the State Lunatic Asylum at Utica, which was laid on the table and ordered printed.

(See Doc. No. 46.)

Mr. Folger presented the report of the Trustees of the Willard Asylum for the Insane, which was laid on the table and ordered printed.

(See Doc. No. 47.)

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for an additional supply of water in the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Banks and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Palmer
Beach	Crowley	Humphrey	Nicks	Pierce
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Graham			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to protect ice-ponds in the counties of Westchester, Rockland and Putnam against willful injury," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Bradley	Crowley	Mattoon	Norton	Thayer

Campbell	Edwards	Morris	O'Donnell	Tweed	
Cauldwell	Graham	Nichols	Palmer		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act supplemental to the act entitled 'An act to provide for the erection of an armory in the city of Schenectady,' passed April 28, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Pierce	
Bradley	Crowley	Mattoon	Norton	Stanford	
Campbell	Edwards	Morgan	O'Donnell	Thayer	
Cauldwell	Graham	Nichols	Palmer	Tweed	
Chapman	Hubbard				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to change the number of Accord Lodge No. 421, Independent Order Odd Fellows, incorporated under chapter 852, Laws of 1867, to Accord Lodge No. 160," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	O'Donnell	Stanford	
Bradley	Edwards	Morgan	Palmer	Thayer	
Campbell	Hubbard	Nichols	Pierce	Tweed	
Cauldwell	Kennedy	Nicks			18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the McDonough Village Union Cemetery Association to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Pierce	
Beach	Edwards	Mattoon	Norton	Stanford	
Bradley	Genet	Morgan	O'Donnell	Thayer	
Campbell	Hubbard	Nichols	Palmer	Tweed	
Cauldwell					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-

thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Beach	Edwards	Mattoon	Norton	Thayer
Bradley	Genet	Morgan	Palmer	Tweed
Campbell	Graham	Nichols	Pierce	Williams
Cauldwell	Hubbard			

22

## FOR THE NEGATIVE.

Crowley	O'Donnell	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to 'The Village of Niagara City,' in the county of Niagara, and to provide for the more efficient collection of village taxes and assessments therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Pierce	Van Petten

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the trustees of the Minard Fund, for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Stanford
Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Palmer	Tweed
Chapman	Hubbard	Nichols	Pierce	Van Petten
Crowley				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Second Particular Baptist Church and Society of the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattooa	O'Donnell	Thayer
Campbell	Edwards	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Chapman	Kennedy	Nicks	Stanford	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of

unpaid taxes in the county of Westchester,' passed April 16, 1860; and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Pierce	
Campbell	Genet	Morgan	Norton	Stanford	
Cauldwell	Hubbard	Morris	O'Donnell	Thayer	
Creamer	Kennedy	Nichols	Palmer	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Chapman presented the 84th annual report of the Regents of the University, which was laid on the table and ordered printed.

(See Doc. No. 49)

Mr. Chapman offered the following resolution:

*Resolved*, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Regents, of which 500 shall be bound.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Van Petten offered the following resolution:

*Resolved*, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Legislature, of which 500 shall be bound.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Nicks offered the following resolution:

*Resolved*, That the papers and evidence relating to the claim of John E. Westlake and others, be taken from the files and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon moved to take from the table the question agreeing to the report of the committee on printing on the following resolution:

*Resolved*, That there be printed of the report of Col. Charles B. Norton, New York State Commissioner to the Paris Exposition of 1867, 2,000 extra copies for the use of the Senate, and 1,000 on fine paper for the use of the Governor.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Mattoon moved to amend by striking out the words "on fine paper" where they occur, and adding said words at the end of said resolution.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Van Petten moved to recommit the bill entitled "An act to amend the act entitled 'An act to authorize the construction of a railroad from the village of Herkimer, through the village of Mohawk, to the village of Ilion,' passed June 7, 1865," to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to extend the powers of the French Benevolent Society, and amend chapter 221 of the Laws of 1819."

Assembly, "An act authorizing the trustees of the board of education of Union Free School district No. 2, of the town of West Farms, Westchester county, to raise money to build an addition to their school-house."

"An act to incorporate the New York Elevator Company."

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration of said entitled bill, and that the same be ordered to a third reading and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Creamer, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act in relation to the duties and compensation of the county clerk of the county of Rensselaer."

Assembly, "An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867."

Assembly, "An act to incorporate the Rensselaer Park Association."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend section 3, title 5, chapter 1, part 2 of the Revised Statutes, relating to real property and the title thereto."

"An act to enable the United States Accident Insurance Company of Syracuse, to withdraw a portion of the securities deposited by it in the Insurance Department."

"An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village."

After some time spent therein, the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and

proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to legalize the election of corporation officers in the village of Randolph, and their acts."

After some time spent therein, the President resumed the chair, and Mr. Morgan, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to the Assembly bill entitled "An act to close Flood's alley, in the city of Brooklyn."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Pierce moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Mattoon moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Campbell	Crowley	Morgan	Nicks	O'Donnell	5
FOR THE NEGATIVE.					
Banks	Creamer	Mattoon	Norton	Thayer	17
Beach	Edwards	Morris	Palmer	Tweed	
Bradley	Genet	Nichols	Pierce	Van Petten	
Cauldwell	Hubbard				

Mr. Van Petten offered the following resolution:

*Resolved*, That 500 extra copies of the proceedings of the University Convocation of the State of New York, for 1867, be printed for the use of the Regents of the University, and 500 copies for the use of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Genet moved that the Senate do now adjourn until Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Beach	Creamer	Genet	Morris	Pierce	11
Bradley	Edwards	Hubbard	Norton	Tweed	
Cauldwell					
FOR THE NEGATIVE.					
Banks	Mattoon	Nichols	O'Donnell	Thayer	11
Campbell	Morgan	Nicks	Palmer	Van Petten	
Crowley					

Mr. O'Donnell moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Creamer	Humphrey	O'Donnell	Tweed	Van Petten	8
Folger	Murphy	Parker			

## FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Nicks	Stanford	
Beach	Creamer	Hubbard	Norton	Thayer	
Bradley	Edwards	Morris	Pierce	Tweed	15

Mr. Tweed moved that the Senate do now adjourn until Monday evening at 7 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Norton	Stanford	
Beach	Creamer	Hubbard	Palmer	Tweed	
Bradley	Edwards	Morris	Pierce		14

## FOR THE NEGATIVE.

Campbell	Mattoon	Nichols	O'Donnell	Van Petten	
Crowley	Morgan	Nicks	Thayer		9

Whereupon the Senate adjourned.

## MONDAY, MARCH 2, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Dr. Wyckoff.

The journal of Friday was read and approved.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to extend the time for the collection of county taxes in the city of Utica, for the year 1867."

*Ordered*, That the Clerk deliver said bill to the Governor.

No quorum being present,

On motion of Mr. O'Donnell, the Senate adjourned.

## TUESDAY, MARCH 3, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Father Ludden.

The journal of yesterday was read and approved.

Mr. Morgan presented a memorial of the legislative council of the Seneca Nation of Indians, praying for the adoption of certain laws for their interest and welfare, which was read and referred to the committee on Indian affairs.

Mr. Stanford presented a remonstrance of 180 citizens of the village of Fort Plain, against bonding said village for \$50,000 for building the Northern Central railway, which was read and referred to the committee on railroads.

Mr. Van Petten presented two remonstrances of citizens of Brooklyn, against the repeal of the Metropolitan Excise law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Folger presented a petition of Sarah E. James, for release of title to lands by the State, which was read and referred to the committee on the judiciary.

Also, a remonstrance of citizens of Brookhaven, Suffolk county, against repeal of law relative to election of town officers, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Graham presented two petitions of inhabitants of Liberty, Sullivan county, asking for State aid to build Midland railroad, which were read and referred to the committee on finance.

Mr. Nichols presented four petitions of citizens of Buffalo, for the passage of a law to prevent incendiary fires, which were read and referred to the committee on the judiciary.

Mr. Folger presented a memorial of John Van Arsdale for relief, which was read and referred to the committee on the judiciary.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village."

"An act to enable the United States Accident Insurance Company, of Syracuse, to withdraw a portion of the securities deposited by it in the Insurance Department."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859."

"An act in relation to the duties and compensation of the county clerk of the county of Rensselaer."

"An act to amend section 3, title 5, chapter 1, part 2 of the Revised Statutes, relating to real property and the title thereto."

"An act to legalize the official acts of Joshua S. Bliss, a justice of the peace."

"An act to authorize the supervisor of the town of Denmark to convey by deed the old burial ground, situated near the village of Copenhagen, in said town, to the trustees of 'Riverside Cemetery Association,' and their successors in office, and to specify the qualifications of voters in the meetings of said association."

"An act to authorize school district number 10, of the town of Binghamton to borrow money to build a school house, and for other purposes."

"An act to release to Catharine Chadwick, the interest of the State in certain moneys arising on a sale of real estate now held by the surrogate of Oneida county."

"An act to release the interest of the people of the State of New York in and to certain lands in the city of Buffalo, to Peter Gowans."

"An act to provide for the consolidation of the 'Richfield Springs and Herkimer' and the 'Richfield Springs and Cooperstown' Telegraph Companies."

Mr. Graham, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Catskill Savings Bank," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to surplus moneys arising on sale of mortgaged premises sold under chapter 8, part 3, title 15 of the Revised Statutes," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages



by advertisement," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Hudson Highland Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

The President presented a communication from the State Engineer and Surveyor, in reply to a resolution of the Senate, relative to State Canal Harbor at foot of Seneca lake, which was laid on the table and ordered printed.

(See Doc. No. 45.)

The Assembly returned the resolution relative to the improvement of the Harbor of Buffalo, with a message that they had concurred in the passage of the same, without amendment.

Also, the resolution relative to the taking down Congress Hall and State Library buildings, with a message that they had concurred in the passage of the same, without amendment.

*Ordered*, That the Clerk transmit the same to the office of the Secretary of State.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to regulate the hours of opening and closing the clerk's office in Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to incorporate the Buffalo park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to extend the operations and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the board of education of the city of Syracuse, to transfer the fund belonging to said city arising from the gospel and school lots, to the permanent fund under their control for school purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Union Bank for Savings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate the Yorkville and Astoria Horse Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the Northern Hydraulic Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend the general act for the incorporation of societies for the erection of buildings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the Comptroller be requested to transmit to the Senate a list of the corporations or companies who have refused or neglected to comply with the Senate resolution of Feb. 10th, 1868, relative to corporations reporting to the Comptroller the amount of taxes paid, capital stock, &c.

Mr. O'Donnell moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the proceedings of the University Convocation of the State of New York of 1867, reported in favor of the adoption of the following resolution:

*Resolved*, That 500 extra copies of the proceedings of the University Convocation of the State of New York of 1867, be printed for the use of the Regents of the University, and 500 copies for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Regents of the University for the use of the Regents, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Regents, of which 500 shall be bound.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Crowley, the Senate took a recess for half and hour.

## TEN MINUTES TO TWELVE O'CLOCK.

The Senate again met.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act to extend the operation and effect of the act passed 17th February, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on Indian affairs, to which was referred the bill entitled "An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian Reservation, in this State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

"An act to amend the act entitled 'An act to provide for the appraisal of, and acquire the title to land taken for or in addition to sites for school-houses,' passed April 25, 1866."

"An act consenting to the purchase, by the United States, of land in the city of Brooklyn adjacent to the Navy Yard, and for ceding jurisdiction over the same and in front thereof."

After some time spent therein, the President resumed the chair, and Mr. Kennedy, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Kennedy, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 460 of the Laws of 1837, entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts.'"

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county."

Assembly, "An act to incorporate the Rensselaer Park Association."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Kennedy moved to discharge the committee of the whole from the further consideration of said bill, and that the same be recommitted to the committee on municipal affairs, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattoon, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the Shelter Island Wharf and Improvement Company."

"An act to authorize the Commissioners of the Land Office to sell certain real estate, escheated to the State, in the town of Jerusalem, Yates county."

"An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein."

After some time spent therein, the President resumed the chair, and Mr. Morris, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Morris, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to ordinances, and contracts for street pavements in the city of New York."

"An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town."

"An act to incorporate the Jerauld Institute of Niagara Falls, for the education of young ladies."

After some time spent therein, the President resumed the chair, and Mr. Graham, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the Wells Seminary for the higher education of young women."

"An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858."

Assembly, "An act to legalize the official acts of John J. Zeh, as a justice of the peace of the town of Fulton, Schoharie county, New York."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported in favor of the passage of the second named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county," with power to report complete, re-

ported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Kennedy offered the following resolution:

*Resolved*, That there be printed of the annual report of the Canal Appraisers, 500 copies for the use of the Appraisers.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county, New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Banks offered the following resolution:

*Resolved*, (if the Assembly concur,) That the Clerk furnish each member of the Legislature with one copy of each of the volumes of journal, documents and debates of the Constitutional Convention.

*Ordered*, That said resolution be laid on the table.

The annual report of Inspector of State Prisons, was presented on the 31st of January last, but was accidentally omitted to be entered upon the journal of that date.

(See Doc. No. 30.)

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Regents of the University for the use of the Legislature, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying documents, be printed for the use of the Senate, of which 500 shall be bound.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Mattoon, the Senate adjourned.

### WEDNESDAY, MARCH 4, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Murphy presented a petition of Abraham Du Bois, Richard Amerman, Elbert B. Monroe and other members, praying that the words "Dutch" and "Protestant" may not be stricken out of the corporate name of the Reformed Protestant Dutch Church in America, which was read and referred to the committee on charitable and religious societies.

Mr. Tweed presented a petition of the Chamber of Commerce of the city of New York, that school law be so amended as to enable the board of education of the city of New York to embrace in its system of education practical and scientific navigation, which was read and referred to the committee on literature.

Mr. Murphy presented the application of the Homœopathic Infirmary for Women, for State aid, which was read and referred to the committee on finance.

Mr. Murphy presented a petition for repairing Union street, in the city of Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Cauldwell presented a petition of E. W. Dunham and others, for the repeal of an act authorizing the extension of Central avenue, in Westchester county, which was read and referred to the committee on roads and bridges

Mr. Williams presented a petition of citizens of Wayne county, for removal of obstructions at Cayuga marshes, which was read and referred to the committee on canals.

Mr. Stanford presented a remonstrance of electors of the village of Fort Plain, against the amendment to village charter, which was read and referred to the committee on municipal affairs.

Mr. Crowley presented a remonstrance of citizens of Brooklyn, against the closing of Flood's alley, which was read and referred to the committee on municipal affairs

Mr. Graham presented a petition of inhabitants of Liberty, Sullivan county, asking for State aid to build Midland railroad, which was read and referred to the committee on finance.

Mr. Murphy presented a petition of A. S. Diven and other railroad and steamboat presidents, in favor of widening West street, in New York city, which was read and referred to the committee on municipal affairs.

Mr. Pierce presented a remonstrance against the passage of an act entitled "An act to suppress the sale of adulterous and explosive oils in the cities of New York and Brooklyn," which was read and referred to the committee on municipal affairs.

Mr. Morris presented a petition of Lewis Prudden for relief, which was read and referred to the committee on the judiciary.

Mr. Nichols presented a petition of officers and directors of Mechanics' Insurance Company of New Jersey, for the passage of an act to prevent incendiary fires, which was read and referred to the committee on the judiciary.

Also, a petition of W. H. Bull, of Clinton, for an act to prevent incendiary fires, which was read and referred to the committee on the judiciary.

Also, a petition of the Phoenix Insurance Company of Hartford, Connecticut, upon same subject, which was read and referred to the committee on the judiciary.

Mr. Stanford, from the committee on canals, to which was recommitted the bill entitled "An act making appropriation for deficiencies in existing claims and demands against the State," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the petition of S. Hutchinson and others, for an amendment to the act to provide for the construction of a culvert under the Erie canal at Canastota, reported by bill entitled "An act to amend an act entitled 'An act to provide for the construction of a culvert under the Erie canal in the village of Canastota,' passed April 10, 1867," which was read the first time and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Sarah E. James for relief from an easement, reported by bill entitled "An act to release the interest of the State in certain real estate, to Sarah Elizabeth James," which was read the first time, and by unani-

mous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of John Van Arsdall for relief, reported by bill entitled "An act for the relief of John Van Arsdall, and to enable him to take and file his oath as justice of the peace, and to confirm his election and acts as such," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Watervliet, in the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of James Conley, a justice of the peace in Yates county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend the act entitled 'An act to provide for the appraisal of, and acquire the title to land taken for or in addition to sites for school-houses,' passed April 25, 1866."

"An act to amend chapter 460 of the Laws of 1837, entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts.'"

"An act consenting to the purchase, by the United States, of land in the city of Brooklyn adjacent to the Navy Yard, and for ceding jurisdiction over the same and in front thereof."

"An act to authorize the Commissioners of the Land Office to sell certain real estate, escheated to the State, in the town of Jerusalem, Yates county."

"An act relative to ordinances, and contracts for street pavements in the city of New York."

"An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town."

"An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858."

"An act to incorporate the Wells Seminary for the higher education of young women."

"An act to incorporate the Jerauld Institute, of Niagara Falls, for the education of young ladies."

"An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein."

The President presented the following communications:

STATE OF NEW YORK—IN CONSTITUTIONAL CONVENTION, }  
ALBANY, Feb. 28, 1868.

On motion of Mr. Merritt,

*Resolved*, That copies of the resolution in relation to the submission of the Constitution to the people, be certified by the Secretary, and transmitted to the Senate and Assembly.

By order of Convention.

LUTHER CALDWELL, *Secretary*.

STATE OF NEW YORK—IN CONSTITUTIONAL CONVENTION, }  
ALBANY Feb. 28, 1868.

On motion of Mr. Cooke,

*Resolved*, That this Constitution be submitted at such time as the Legislature shall provide, to be voted upon in the following manner: Each elector shall be allowed to vote two ballots which shall be deposited in separate boxes; one ballot shall be endorsed "Constitution," and contain on the inside when folded, the words "For the amended Constitution," or "Against the amended Constitution." The other ballot shall be endorsed "Constitution—Property qualification," to contain on the inside when folded, the words "For the property qualification of men of color," or "Against the property qualification for men of color," and no vote cast endorsed "Constitution," shall affect the question of property qualification for men of color.

If a majority of the votes cast endorsed "Constitution," shall contain on the inside the words "For the amended Constitution," then the proposed Constitution shall be the Constitution of the State of New York, except as the same may be modified by the result of the vote on the property qualification as hereinafter provided; but if a majority of the votes cast so endorsed shall contain on the inside the words "Against the amended Constitution," then the proposed Constitution shall be declared rejected, and the present Constitution, except the provision relating to persons of color, shall remain in full force.

If a majority of the ballots cast endorsed "Constitution—Property qualification," shall contain in the inside, the words "For the property qualification for men of color," then the words following, viz: "but no man of color, unless he shall have been for three years a citizen of this State, and for one year next preceding any election shall have been seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all the debts and incumbrances charged thereon, and shall have been actually rated and paid a tax thereon, shall be entitled to vote at such election; and no person of color shall be subject to direct taxation unless he shall be seized and possessed of such real estate, as aforesaid," shall remain a part of the Constitution; and if the proposed Constitution shall be adopted to the end of section one of the second article thereof; but if a majority of the votes cast so endorsed, shall contain the words "Against the property qualification for men of color," then the words above quoted shall be no part of the Constitution.

By order.

LUTHER CALDWELL, *Secretary*.

*Ordered*, That said communications be referred to the committee on the judiciary.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Grocers' Clerks Early Closing Association, of the city of New York.

Mr. Bradley gave notice that he would, on some future day, ask leave to introduce a bill to amend the charter of the Academy of Music, in the city of New York.



Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Receiver's Bank, in the city of New York.

Mr. Van Petten gave notice that he would, on some future day, ask leave to introduce a bill to amend an act entitled "An act to consolidate and amend the charter of the village of Herkimer," passed April 1, 1854.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize Marcus N. Preston and Harman D. Fulton, to sell and convey, as trustees, the church property of the First Religious Society of Borodino, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend subdivision 5 of sec. 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act providing for the payment of certain taxes and assessments upon the property of railroad companies situated in the Cattaraugus and Allegany Reservations, to the treasurer of the Seneca Nation of Indians, for educational purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to extend Clinton avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to preserve order in public meetings, and to protect public halls or buildings used as such, and the property therein or appurtenant," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to fines for intoxication," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to further amend the charter of the Church Charity Foundation, of the county of Kings, and to extend the territorial limits thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 873 of the Laws of 1867, entitled 'An act to amend the act entitled 'An act making the turnpike road and bridges of the Ravenswood, Hallett's Cove and Williamsburgh

Turnpike Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,' passed May 7, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to enable the National Safe Deposit Company, of the city of New York, to complete its organization and commence business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in place thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act for the appointment of a stenographer for the city of Buffalo and county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to enable the Harmonic Social Club, of the city of New York, to hold real estate to an amount of two hundred and fifty thousand dollars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Park Savings Bank, of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Veteran Soldiers' Business Association,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to increase the powers of surrogates, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Stanford
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	Palmer	Van Petten
Creamer	Hubbard	Morgan	Pierce	Williams
Crowley				21

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the consolidation of the 'Richfield Springs and Herkimer' and the 'Richfield Springs and Cooperstown' Telegraph Companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Stanford
Campbell	Folger	Humphrey	Nichols	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
Creamer	Graham	Mattoon	Palmer	Van Petten
Crowley	Hale	Morris	Pierce	Williams
				25

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in and to certain lands in the city of Buffalo, to Peter Gowans," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Thayer
Campbell	Folger	Kennedy	Nichols	Tweed
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Creamer	Graham	Morris	Stanford	Williams
Crowley	Hale			22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to Catharine Chadwick, the interest of the State in certain moneys arising on a sale of real estate now held by the surrogate of Oneida county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Campbell	Folger	Humphrey	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Pierce	Van Petten
Creamer	Graham	Morris	Stanford	Williams
Crowley	Hale			23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize school district number 10, of the town of Binghamton to borrow money to build a school house, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Thayer
Campbell	Genet	Humphrey	Nichols	Tweed
Caldwell	Graham	Kennedy	O'Donnell	Van Petten
Creamer	Hale	Morgan	Stanford	Williams
Crowley				

21

## FOR THE NEGATIVE.

Folger	
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1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the official acts of Joshua S. Bliss, a justice of the peace," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Thayer
Campbell	Folger	Hubbard	Morris	Tweed
Caldwell	Genet	Humphrey	Nichols	Van Petten
Creamer	Graham	Kennedy	O'Donnell	Williams
Crowley				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the supervisor of the town of Denmark to convey by deed the old burial ground, situated near the village of Copenhagen, in said town, to the trustees of 'Riverside Cemetery Association,' and their successors in office, and to specify the qualifications of voters in the meetings of said association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nichols	Thayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Caldwell	Hubbard	Morris	Pierce	Van Petten
Crowley	Humphrey	Murphy	Stanford	Williams
Edwards	Kennedy			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to extend the powers of the French Benevolent Society, and amend chapter 211 of the Laws of 1819," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Morgan	Tweed
Caldwell	Folger	Kennedy	Nichols	Van Petten

Creamer	Graham	Mattoon	Thayer	Williams	
Crowley	Hubbard				17

## FOR THE NEGATIVE.

Morris	O'Donnell				2
--------	-----------	--	--	--	---

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the trustees of the board of education of Union Free School District No. 2, of the town of West Farms, Westchester county, to raise money to build an addition to their school-house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Nichols	Thayer	
Cauldwell	Hale	Morgan	O'Donnell	Tweed	
Creamer	Hubbard	Morris	Pierce	Van Petten	
Crowley	Humphrey	Murphy	Stanford	Williams	
Edwards					21

## FOR THE NEGATIVE.

Folger					1
--------	--	--	--	--	---

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the duties and compensation of the county clerk of the county of Rensselaer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	Murphy	Stanford	
Cauldwell	Graham	Kennedy	Nichols	Thayer	
Crowley	Hale	Morgan	O'Donnell	Van Petten	
Edwards	Hubbard	Morris	Pierce	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the election of corporation officers in the village of Randolph, and their acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford	
Campbell	Graham	Morgan	O'Donnell	Thayer	
Cauldwell	Hale	Morris	Palmer	Van Petten	
Crowley	Hubbard	Murphy	Pierce	Williams	
Edwards	Humphrey				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend section 3, title 5, chapter 1, part 2 of the Revised Statutes, relating to real property and the title thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Campbell	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Genet	Morris	Palmer	Tweed
Crowley	Hale	Murphy		

18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the United States Accident Insurance Company, of Syracuse, to withdraw a portion of the securities deposited by it in the Insurance Department," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	O'Donnell	Thayer
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Pierce	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Edwards				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Stanford
Campbell	Folger	Mattoon	O'Donnell	Thayer
Cauldwell	Genet	Morgan	Palmer	Van Petten
Creamer	Hale	Morris	Pierce	Williams
Crowley	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to charter the village of Randolph, Cattaraugus county,' passed May 21, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Stanford
Campbell	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Crowley	Kennedy	Murphy	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act consenting to the purchase, by the United States, of land in the city of Brooklyn adjacent to the Navy Yard, and for ceding jurisdiction over the same and in front thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Folger	Mattoon	Palmer	Tweed
Cauldwell	Genet	Morgan	Pierce	Van Petten
Creamer	Hale	Morris	Stanford	Williams
Crowley	Hubbard	Nichols		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to provide for the appraisal of, and acquire the title to land taken for or in addition to sites for school-houses,' passed April 25, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	O'Donnell
Beach	Crowley	Hale	Morgan	Palmer
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Kennedy	Nichols	Tweed
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 460 of the Laws of 1837, entitled 'An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Pierce
Bradley	Edwards	Hubbard	Nichols	Stanford
Campbell	Folger	Kennedy	Norton	Van Petten
Cauldwell	Genet	Morgan	Palmer	Williams
Creamer	Graham			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to ordinances, and contracts for street pavements in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Thayer
Bradley	Edwards	Hubbard	Norton	Tweed
Campbell	Folger	Kennedy	Pierce	Van Petten
Cauldwell	Genet	Morgan	Stanford	Williams
Creamer	Graham	Morris		28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Commissioners of the Land Office to sell certain real estate, escheated to the State, in the town of Jerusalem, Yates county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Thayer
Bradley	Edwards	Hubbard	Norton	Tweed
Campbell	Folger	Kennedy	O'Donnell	Van Petten
Cauldwell	Genet	Morgan	Pierce	Williams
Creamer	Graham	Morris	Stanford	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Folger	Morgan	Palmer	Tweed
Cauldwell	Genet	Morris	Pierce	Van Petten
Creamer	Hale	Nichols		28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," having been announced for a third reading,

Mr. Van Petten moved to recommit said bill to the committee on literature.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Jerauld Institute, of Niagara Falls, for the education of young ladies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	O'Donnell	Tweed
Bradley	Crowley	Kennedy	Palmer	Van Petten



Campbell	Edwards	Morgan	Pierce	Williams	
Cauldwell	Genet	Norton			18

## FOR THE NEGATIVE.

Folger	Hale				2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Wells Seminary for the higher education of young women," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Norton	Tweed	
Bradley	Edwards	Morris	O'Donnell	Van Petten	
Campbell	Genet	Murphy	Palmer	Williams	
Cauldwell	Kennedy	Nichols			18

## FOR THE NEGATIVE.

Hale					1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nichols	Pierce	
Bradley	Edwards	Morgan	Norton	Tweed	
Campbell	Folger	Morris	O'Donnell	Van Petten	
Cauldwell	Genet	Murphy	Palmer	Williams	
Creamer	Hale				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the official acts of John J. Zeh, a justice of the peace of the town of Fulton, Schoharie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE

Bradley	Edwards	Humphrey	Nichols	Stanford	
Campbell	Folger	Kennedy	Norton	Thayer	
Cauldwell	Genet	Morgan	O'Donnell	Tweed	
Creamer	Hale	Murphy	Pierce	Van Petten	
Crowley					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Creamer offered the following preamble and resolution:

*Whereas*, The Legislature of 1865 appointed a cammission to supervise and contract for the cleaning of the streets and avenues of the city of

New York; and whereas, the present condition of the streets of said city, together with the universal complaints of the citizens thereof, is sufficient evidence to show that the contract system for cleaning streets is a failure, and is detrimental and injurious to the business interests of the Metropolis and the convenience of her citizens; therefore,

*Resolved*, That the committee on municipal affairs be directed to immediately investigate the subject, and report to the Senate what legislation, if any, is necessary to remedy the evils complained of; and that said committee have power to send for persons and papers.

Mr. Crowley moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Murphy offered the following resolution:

*Resolved*, That it be referred to the committee on the judiciary to report to the Senate their opinion whether the office of State Superintendent of Public Instruction will be eligible by joint ballot of the Senate and Assembly on the first Tuesday of April next.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolutions:

*Resolved*, That the Secretary of the Convention to revise and amend the Constitution, is hereby respectfully requested to report, in full or by an abstract thereof, as shall be most convenient to him, all resolutions adopted by the Convention in the last week of its session, and which involve the expenditure of public money, (except the resolutions for indexing the debates, journals and documents), to the end that the Legislature may be apprized of the amount of appropriations necessary to carry out the same.

*Resolved*, That in the judgment of the Senate, no action should be taken by any officer of the Convention or by any other person, under the resolutions passed in the last week of the session, a report of which is thus called for, until the same shall be approved of by the Legislature, inasmuch as the expenditure necessary to carry out the same may not be sanctioned by law, in which case such persons will lose their labor and their pains.

Mr. O'Donnell moved to amend by striking out the words "last week of the session," and the words "except the resolutions for indexing the debates, journals and documents."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Humphrey, the Senate adjourned.

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#### THURSDAY, MARCH 5, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Father Burke.

The journal of yesterday was read and approved.

Mr. Palmer presented a petition of property owners on Broadway, for Arcade Underground railroad, which was read and referred to the committee on railroads.

Also, a petition of citizens of Dutchess county, upon same subject, which was read and referred to the committee on railroads.

Mr. Folger presented a petition of citizens of Seneca county, for removal of obstructions across Cayuga marshes, which was read and referred to the committee on canals.

Mr. Hale presented a petition of citizens of the county of Clinton, for State aid for the Whitehall and Plattsburgh Railroad Company, which was read and referred to the committee on finance.

Mr. Parker presented a petition for the incorporation of Ocean Rock Division of the Sons of Temperance, of Louisville, which was read and referred to the committee on charitable and religious societies.

Also, a remonstrance of citizens of Ogdensburg, against school law, which was read and referred to the committee on literature.

Mr. Banks presented a petition of ninety-seven citizens of the city of Albany, in favor of the bill to incorporate the National Savings Bank of Albany, which was read and referred to the committee on banks.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Association for mutual improvement, in the city of Albany,' passed March 12, 1835," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Stanford
Beach	Folger	Kennedy	O'Donnell	Thayer
Bradley	Graham	Morgan	Palmer	Van Petten
Campbell	Hale	Morris	Pierce	Williams
Cauldwell	Hubbard			

22

By unanimous consent, the rule was suspended and the Clerk ordered to transmit said bill to the Assembly immediately, with a message informing that the Senate have passed the same, without amendment.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize exchange of public property for public uses between the Commissioners of Emigration and the Commissioners of Public Charities and Correction," reported in favor of the passage of the same.

Mr. Bradley moved to refer said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the election and appointment of a police constable in the village of Forestville," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to repeal section 1 of the act entitled 'An act to amend the charter of the village of Bath, in the county of Steuben,' passed April 3, 1867," reported in favor of the pas-

sage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 286 of the Laws of 1863, entitled 'An act for the better support of the poor in the city of Poughkeepsie, in the county of Dutchess,' passed April 29, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed April 22, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to establish a separate road district in the village of Margaretville," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to authorize Lewis Runyon to establish and maintain a ferry across Seneca lake, at Lodi Landing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Yonkers and Alpine Ferry Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of Theodosia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, Geo. G. Breed, Edmund Merry and Daniel Hubbard," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on literature, to which was referred the bill entitled "An act in relation to the Normal School, at Cortland, and confirming the action of the village trustees in reference thereto," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate Morrisania Savings Bank,' passed May 1, 1865," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank in the village of Binghamton, Broome county, New York,' passed April 18, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank,' of the town of Yonkers, in the county of Westchester,' passed April 5, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Clinton Savings Bank,' in the

Also, a petition of which was re-

city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole. Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the courts of sessions, in the city and county of New York," reported that they have made some amendments thereto, and amended the title so as to read, "An act to amend chapter 563 of the laws of 1865, entitled 'An act in relation to the court of special sessions of the peace, in and for the city of New York,' passed April 24, 1865," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of Cora Moffatt and Myra Moffatt, infant children of Wm. B. Moffatt, deceased," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 565 Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of Edward Todd," reported adversely thereto, for the reason that the provisions of law are already sufficient to afford relief; which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the organization of the Ithaca Co-operative Store Society," reported adversely thereto.

Mr. Folger moved that the question agreeing to the report of the committee be laid on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, *March 4, 1868.*

*Resolved*, (if the Senate concur,) That the Clerk be directed to furnish to each member of the present House, and the Clerk, seventy-five copies of the State Manual for 1868, and to each officer and reporter, ten copies, provided, however, that the price shall not exceed one dollar per copy.

By order.

C. W. ARMSTRONG, *Clerk.*

*Ordered*, That said resolution be laid upon the table.

Also, the following:

IN ASSEMBLY, *March 4, 1868.*

*Resolved*, That a respectful message be sent to the Senate, requesting them to transmit to the Assembly, the petition and bill of items of Chas. Weiss, for damages caused by being shot, while doing parole duty, now on file in the Senate, and that the same be referred to the committee on military affairs.

By order,

C. W. ARMSTRONG, *Clerk.*

*Ordered*, That the Clerk transmit the same to the Assembly, if papers can be found.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to confirm the official acts of James Sheldon, as notary public."

"An act to amend an act entitled 'An act to authorize the city of Oswego to borrow money for the purpose of building a bridge, and to provide by appropriation for its construction over the Oswego canal.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of William Marsh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of William H. Van Duesen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the village of Greenport, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act in relation to frauds in assessments for local improvements in the city of New York,' passed April 17th, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Plattekill Clove Turnpike Road Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and public health.

"An act to authorize the boards of supervisors of Orleans and Niagara counties to appropriate money to repair the County Line road between said counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to grant to William Orton, Charles C. Leigh and Charles Havard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to change the title of the New York Woman's Infirmary Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to establish the office of receiver of taxes and assessments in the town of Greenburgh, in the county of Westchester, State of New

York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856, by changing the manner of electing the trustees thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to fix the salary of clerks of the justices' courts of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of a farm bridge over Rocky Rift feeder, for the benefit of John W. Hawn, in the town of Minden, in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act relating to the recording of sheriff's certificates upon the sale of real estate in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to extend the powers of the French Benevolent Society and amend chapter 211 of the Laws of 1819."

"An act authorizing the trustees of the board of education of Union Free School district No. 2, of the town of West Farms, Westchester county, to raise money to build an addition to their school-house."

*Ordered*, That the Clerk return said bills to the Assembly.

Mr. O'Donnell gave notice that he would, on some future day, ask leave to introduce a bill to make the amount invested by fire insurance companies prima facie evidence of the amount of loss in case of fire.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to amend the law in relation to the carrying of concealed weapons.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act fixing certain fees of sheriffs in civil and criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend the act to provide for the incorporation of religious societies, so far as the same relate to churches in communion with the Protestant Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to widen portions of Sackett and other streets in the city of Brooklyn," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend section 6 of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act for the construction of an Arcade Underground railroad in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to facilitate the construction of the West Shore Hudson River railroad, and to authorize cities, villages and towns to subscribe to the capital stock thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers, to widen, make and extend a highway in said town, to be known or called the Central road or avenue,' passed April 13, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to enable the Clifton Iron Company to transport passengers, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Thomas Jackson, Robert Vose and William Vose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the cancellation of certain repair contracts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the payment of fire hose furnished the fire department of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled an act to provide for the better establishment, government, regulation and economy of common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act in relation to the salaries of the members of the common council of the city of New York," which was read the first



time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Hubbard, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	O'Donnell	Stanford
Bradley	Crowley	Morgan	Palmer	Thayer
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer called for the consideration of the resolution offered by him yesterday, in the words following:

*Whereas*, The Legislature of 1865 appointed a commission to supervise and contract for the cleaning of the streets and avenues of the city of New York; and whereas, the present condition of the streets of said city, together with the universal complaints of the citizens thereof, is sufficient evidence to show that the contract system for cleaning streets is a failure, and is detrimental and injurious to the business interests of the Metropolis and the convenience of her citizens; therefore,

*Resolved*, That the committee on municipal affairs be directed to immediately investigate the subject and report to the Senate what legislation, if any, is necessary to remedy the evils complained of; and that said committee have power to send for persons and papers.

Mr. Creamer moved to amend by striking out and inserting in lieu thereof the following:

*Whereas*, The Legislature of 1865 appointed a commission to supervise and contract for the cleaning of the streets and avenues of the city of New York; and whereas, the present condition of the streets and avenues of said city, together with the universal complaint of the citizens thereof, furnish sufficient grounds for the belief that the present contract system relative to the cleaning of said streets and avenues is substantially a failure, and detrimental and injurious to the business interests of said city and the convenience of the citizens thereof; therefore,

*Resolved*, That the Senate committee on municipal affairs be, and hereby is directed to immediately investigate the said contract system, and the condition of the said streets and avenues under the same, and report to the Senate what legislation, if any, is necessary to remedy the evils complained of; and that said committee have power to send for persons and papers.

Mr. O'Donnell moved to strike out the preamble.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Williams moved to amend by adding the words "without expense to the State."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Stanford	
Bradley	Graham	Morgan	Palmer	Twced	
Campbell	Hale	Morris	Pierce	Williams	
Cauldwell	Hubbard	Murphy			18

## FOR THE NEGATIVE.

Beach	Folger	O'Donnell	Parker	Thayer	5
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Mr. Palmer moved that the committee on banks be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Banks called for the consideration of the following resolution:

*Resolved*, (if the Assembly concur,) That the Clerk furnish each member of the Legislature with one copy of each of the volumes of the journal, documents and debates of the Constitutional Convention.

Mr. Bradley moved to refer said resolution to the committee on public printing, to ascertain and report cost of same.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Hale	Mattoon	Nichols	Pierce	
Cauldwell	Hubbard	Morris	O'Donnell	Thayer	
Creamer	Kennedy	Murphy	Palmer	Twced	15

## FOR THE NEGATIVE.

Beach	Crowley	Graham	Parker	Van Petten	
Beach	Folger	Morgan	Stanford	Williams	
Campbell					11

Mr. Mattoon offered the following resolution:

*Resolved*, That there be printed of the annual report of the Managers and Superintendent of the State Lunatic Asylum at Utica, 4,000 copies for the use of the Managers, 1,000 to be on fine paper.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Canal Appraisers, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed of the annual report of the Canal Appraisers, 500 copies for the use of the Appraisers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to the collection of taxes in the town of Canton, in the county of St. Lawrence."

"An act to authorize exchange of public property for public uses be."

tween the Commissioners of Emigration and the Commissioners of Public Charities and Corrections."

"An act making appropriation for deficiencies in existing appropriations, to meet existing claims and demands against the State."

After some time spent therein, the President resumed the chair, and Mr. Murphy, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Pierce moved to lay the question of agreeing to the report of the committee of the whole upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Murphy, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Murphy, from the same committee, reported in favor of the passage of the last named bill, with amendmenst, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Kennedy and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nichols	Stanford
Beach	Hale	Mattoon	Palmer	Thayer
Bradley	Hubbard	Morgan	Parker	Tweed
Cauldwell	Humphrey	Morris	Pierce	Williams
Cauldwell				

21

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, with a message requesting their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

"An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal School buildings."

"An act to authorize the Mariposa Company to issue a first preferred stock."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Palmer, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Parker and by unanimous consent, the rule was suspended and the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Nichols	Pierce	
Beach	Creamer	Morgan	O'Donnell	Stanford	
Bradley	Graham	Morris	Palmer	Tweed	
Campbell	Hale	Murphy	Parker	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Parker and by unanimous consent, the rule was suspended and the bill entitled "An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal school buildings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Pierce	
Beach	Creamer	Kennedy	Nichols	Thayer	
Bradley	Graham	Mattoon	O'Donnell	Tweed	
Campbell	Hale	Morgan	Parker	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

"An act providing for the erection of a town hall in the town of Morrisania, Westchester county."

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein, the President resumed the chair, and Mr. Hale, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854."

"An act to revise the charter of the city of Auburn."

After some time spent therein, the President resumed the chair, and Mr. O'Donnell, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. O'Donnell, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Williams moved that said bill be recommitted to the committee on municipal affairs, with power to report complete.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the act entitled 'An act to extend the operation and effect of the act passed February 17th, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864."

Assembly, "An act to amend chapter 385 of the Laws of 1867, being 'An act to incorporate the village of Warwick.'"

"An act in aid of the construction of the Newsboys' Lodging House of 'The Children's Aid Society,' of the city of New York, and for the relief thereof."

After some time spent therein, the President resumed the chair, and Mr. Pierce, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 761 of the Laws of 1865, entitled 'An act to incorporate the Bay Side and New York Ferry Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Pierce offered the following preamble and resolution:

*Whereas*, Grave charges have been made in the newspapers and before the Supreme Court in reference to the management of the Erie Railway Company, and that the general management of said company is controlled by persons who systematically make use of their positions to depreciate and destroy the value of the stock of such company, and that the directors of such company have issued a larger amount of the stock of such company than such company is entitled to issue by law; therefore,

*Resolved*, That a committee of three Senators be appointed to examine into the condition of such company and into the said charges, with power to send for persons and papers; said investigation to be conducted without expense to the State.

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. O'Donnell moved to strike out the preamble.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	O'Donnell	Van Petten	4
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## FOR THE NEGATIVE.

Banks	Genet	Kennedy	Nichols	Stanford	21
Beach	Hale	Mattoon	Palmer	Thayer	
Campbell	Hubbard	Morris	Parker	Tweed	
Cauldwell	Humphrey	Murphy	Pierce	Williams	
Creamer					

Mr. O'Donnell moved to amend by inserting "New York Central, Hudson River, and Harlem," in preamble and resolution.

Mr. Hale moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Graham	Hale	O'Donnell	Parker	Stanford	5
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## FOR THE NEGATIVE.

Banks	Genet	Mattoon	Palmer	Tweed	17
Bradley	Hubbard	Morris	Pierce	Van Petten	
Cauldwell	Humphrey	Nichols	Thayer	Williams	
Creamer	Kennedy				

The President then put the question whether the Senate would agree to said motion of Mr. O'Donnell, to amend, and it was decided in the negative.

Mr. Genet moved to add the following at the end thereof:

"And that the said committee be directed to report the testimony taken, and the result of their deliberations, within twenty days from the adoption of this resolution."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	Thayer	16
Bradley	Genet	Kennedy	Nichols	Tweed	
Campbell	Hubbard	Mattoon	Pierce	Williams	
Cauldwell					

## FOR THE NEGATIVE.

Beach	Hale	Palmer	Parker	Van Petten	7
Graham	O'Donnell				

On motion of Mr. Humphrey the Senate adjourned.

FRIDAY, MARCH 6, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Mattoon presented a petition from St. Peter's German Catholic Congregation at Oswego, against the Father Coventuals of Syracuse from conveying their lands in the city of Oswego, which was read and referred to the committee on the judiciary.

Mr. Nicks presented three petitions of tax-payers of Steuben county, for repeal of so much of the Military Code as relates to exemptions from payment of taxes, which was read and referred to the committee on the militia.

Mr. Morris presented a remonstrance of T. R. Colman and others, of the town of Dunkirk, against change of school law, which was read and referred to the committee on literature.

Mr. Nichols presented a petition of citizens of Medina, for appropriations to deepen Black Rock harbor, to furnish increase of water to Erie canal, which was read and referred to the committee on canals.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to authorize additional facilities for the interment of the pauper dead in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Cartmen's Protective Union, of the city and county of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Ithaca Waterworks Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act providing for the payment of certain taxes and assessments upon property of railroad companies situated in the Cattaraugus and Allegany Reservations, to the treasurer of the Seneca Indians, for educational purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Turnverein of the city of Brooklyn, eastern district,' passed April 16, 1858," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the official acts of Martin R. Lefever," reported that they have made some amendments thereto, and amended the title so as to read "An act to legalize the official acts of Martin R. Lefever as trustee of school district No. 7, of the towns of Broomfield and

Croghan, Lewis county," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to corporation elections, and to prevent their dissolution," reported that they have made some amendments thereto, and amended the title so as to read "An act relative to the election of directors of corporations, and to prevent their dissolution," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Bradley, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of the Home Insurance Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents to taxation,' passed July 2d, 1851," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams offered the following resolution:

*Resolved*, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to prevent encroachments upon grave-yards," and that the same be referred to the standing committee on roads and bridges.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their power and duties,' passed March 13, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act to grant to Wm. Orton, Charles C. Leigh and Charles Harvard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same," passed April 22, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act in relation to the Canal Department, and to abolish the Contracting Board," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the Saratoga Gas Light Company to raise money



to enlarge and change its work, by issuing bonds or preferred stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to extend the time for the collection of taxes in the town of Watervliet, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act providing for the erection of a town hall in the town of Morrisania, Westchester county."

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854."

"An act to amend the act entitled 'An act to extend the operation and effect of the act passed February 17th, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864.'"

"An act in aid of the construction of the Newboys' Lodging House of 'The Children's Aid Society' of the city of New York, and for the relief thereof."

"An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

"An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

"An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for the Normal school buildings."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Albany National Savings Bank," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 20, 1849," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on public health, to which was referred the Assembly bill entitled "An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Managers and Superintendent of the Lunatic Asylum at Utica, reported in favor of the adoption of the following resolution: •

*Resolved*, That there be printed of the annual report of the Managers and Superintendent of the State Lunatic Asylum, at Utica, 4,000 copies for the use of the Managers, 1,000 to be on fine paper.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the town of Arcade, in the county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located for the Attica and Allegany Valley railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to authorize the Poor Man's Gold and Silver Mining Company, of Idaho, to change its place of business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, located in the city of Brooklyn,' passed April 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to authorize William Messino, of the town of Catskill, Greene county, to establish and maintain a ferry on the west shore of the Hudson river, at a point known as Smith's Landing, in the town of Catskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego, to issue bonds in aid of the Syracuse Northern Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the city of Syracuse to make a loan to the Syracuse Northern Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866; and for the appointment of railroad commissioners for the town of Skaneateles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to consolidate and amend the charter of the village of Herkimer," passed April 1, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to the court of special sessions of the peace, in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend chapter 15 of the Laws of 1868, entitled 'An act to found a Presbyterian Hospital in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to make the amount insured by fire insurance companies evidence of the value of property destroyed by fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Fraternal Mutual Life Insurance Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The bill entitled "An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Palmer	Thayer
Beach	Hubbard	Morris	Parker	Tweed
Bradley	Humphrey	Murphy	Pierce	Van Petten
Campbell	Kennedy	Nichols	Stanford	Williams
Creamer	Mattoon	O'Donnell		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to extend the operation and effect of the act passed February 17th, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Humphrey	Morris	Palmer	Thayer
Beach	Kennedy	Murphy	Parker	Tweed
Bradley	Mattoon	Nichols	Pierce	Van Petten
Hubbard	Morgan	O'Donnell	Stanford	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Palmer	Thayer
Beach	Hubbard	Morris	Parker	Tweed
Campbell	Humphrey	Nichols	Pierce	Van Petten
Crowley	Kennedy	Nicks	Stanford	Williams
Edwards	Mattoon	O'Donnell		28

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Bradley	Hale	Morgan	O'Donnell	Thayer
Campbell	Hubbard	Morris	Parker	Van Petten
Crowley	Kennedy	Nichols	Pierce	Williams
				20

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act providing for the erection of a town hall in the town of Morrisania, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Genet	Mattoon	Nicks	Stanford
Bradley	Hale	Morgan	O'Donnell	Thayer
Campbell	Hubbard	Morris	Palmer	Williams
Crowley	Humphrey	Murphy	Parker	24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 385 of the Laws of 1867, being an act to incorporate the village of Warwick," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Stanford
Bradley	Hale	Morgan	Palmer	Thayer
Campbell	Hubbard	Morris	Parker	Tweed
Crowley	Humphrey	Nichols	Pierce	Williams
Edwards	Kennedy	Nicks		28

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in aid of the construction of the Newsboys' Lodging House of 'The Children's Aid Society' of the city of New York, and for the relief thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer	
Beach	Hale	Morgan	O'Donnell	Tweed	
Campbell	Hubbard	Morris	Palmer	Williams	
Edwards	Kennedy	Nichols	Parker		19

## FOR THE NEGATIVE.

Bradley					1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach moved that when the Senate adjourn to-day, it adjourn to meet on Monday evening, at 7 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nicks	Stanford	
Bradley	Edwards	Mattoon	Parker	Tweed	
Creamer	Genet	Morgan	Pierce	Williams	15

## FOR THE NEGATIVE.

Campbell	Hubbard	Murphy	O'Donnell	Thayer	
Hale	Morris	Nichols	Palmer	Van Petten	10

The Assembly sent for concurrence the bill entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Lyons,' passed April 17, 1854, and the acts amending the same, passed April 12, 1860,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hubbard	Morris	O'Donnell	Stanford	
Campbell	Kennedy	Murphy	Palmer	Thayer	
Crowley	Mattoon	Nichols	Parker	Van Petten	
Edwards	Morgan	Nicks	Pierce	Williams	
Hale					21

By unanimous consent, the rule was suspended and the Clerk ordered to transmit said bill to the Assembly immediately, with a message informing that the Senate have passed the same, without amendment.

Mr. Crowley moved to reconsider the vote had yesterday upon the resolution, in the words following:

*Whereas*, The Legislature of 1865 appointed a commission to supervise and contract for the cleaning of the streets and avenues of the city of New York; and whereas, the present condition of the streets and avenues of said city, together with the universal complaint of the citizens thereof, furnish sufficient grounds for the belief that the present contract system relative to the cleaning of said streets and avenues is substantially a failure, and detrimental and injurious to the business interests of said city and the convenience of the citizens thereof; therefore,

*Resolved*, That the Senate committee on municipal affairs be, and

hereby is directed to immediately investigate the said contract system, and the condition of the said streets and avenues under the same, and report to the Senate what legislation, if any, is necessary to remedy the evils complained of; and that said committee have power to send for persons and papers; provided said investigation shall be conducted without expense to the State.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Crowley moved to strike out the words "provided said investigation shall be conducted without expense to the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Mattoon offered the following resolution:

*Resolved*, That the select committee to investigate the affairs of the Erie Railway Company, shall consist of five instead of three.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President announced as such committee, Messrs. Pierce, Chapman, Humphrey, Mattoon and Bradley.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Messrs. Jacobs and Underwood, a committee from the Assembly, appeared in the Senate chamber and announced that they had been appointed a committee on the part of the Assembly to wait on the Honorable the Senate and inform them that the House of Assembly have impeached Robert C. Dorn, Canal Commissioner, for high crimes and misdemeanors; that in due time articles of impeachment would be exhibited against him and made good before the Senate, and demand that the Senate take order for the appearance of the said Robert C. Dorn, to answer to the impeachment.

The President of the Senate announced to the committee that the Senate would take due order thereon at the proper time.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act to authorize the Mariposa Company to issue a first preferred stock."

"An act to release the interest of the State to certain lands of which Wm. Watt died seized and possessed, to Mrs. Mary Watt, his widow."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Nicks, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Genet, the Senate adjourned.

MONDAY, MARCH 9, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of Friday was read and approved.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against changing distribution of school moneys, which was read and referred to the committee on literature.

Mr. Murphy presented a remonstrance of Anson Blake and twenty-three other owners of land on Main street, west of Columbia street, Brooklyn, against repaving that portion of Union street, which was read and referred to the committee on municipal affairs.

Also, a petition of George Hussey and 118 other citizens of the 8th ward of Brooklyn, for a savings bank in that ward, which was read and referred to the committee on banks.

Mr. Morris presented a petition of Elizabeth Dickinson for canal damages, which was read and referred to the committee on claims.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Arcade, in the county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Railway Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located, from the Attica and Allegany Valley railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," reported adversely thereto.

Mr. Morris moved to lay the question of agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to enable the Clifton Iron Company to transport passengers, and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the petition of citizens of Ogdensburgh for an amendment of the Ogdensburgh school law, reported by bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate

the Dutchess County Mutual Insurance Company, passed April 12, 1866, and an act to continue and extend the same,' passed April 9, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act in relation to the village of Monticello," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to revive the charter of the Ithaca Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to confirm the election of village officers in the village of Churchville, to confirm the acts of such officers, and to amend the charter of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to prevent the obstruction of streets in the city of New York, by railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act in relation to the Croton Aqueduct Department in the city of New York,' passed April 8, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the preservation of public health and for draining overflowed lands adjoining Black Lake and its tributaries in the counties of St. Lawrence and Jefferson, and improving the hydraulic power of Ogdensburgh, and the repeal of chapter 730, of Laws of 1865,' amendatory of chapter 577 of Laws of 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the employment of a stenographer in the county courts and courts of sessions of Orange and Otsego counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act for the better protection of persons letting or hiring out personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864; which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to define and establish the boundaries of school district No. 5 of the town of Flushing, in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.



"An act to change the boundaries of the village of Sloansville, Schoharie county, to enlarge the powers of the inhabitants thereof, amendatory of chapter 180 of Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Green Point Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. O'Donnell gave notice that he would, on some future day, ask leave to introduce a bill to provide for the assessing and collecting of taxes upon corporations and joint stock associations, at the Comptroller's office in Albany.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the German Savings Bank of the town of Morrisania, in Westchester county.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal, from the aqueduct to a point ten chains west of Lyell street, in the city of Rochester,' passed June 26, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to declare the village of Williamsville a separate road district, and to provide means by tax therein for keeping streets, sidewalks and crosswalks in repair," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act releasing the interest of the State in certain lands and premises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same."

"An act to release and convey to Isabella Jackson the interest of the people of the State of New York in certain real estate."

"An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue."

After some time spent therein, the President resumed the chair, and

Mr. Parker, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Parker, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the Catskill Savings Bank."

"An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian reservations in this State."

"An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

After some time spent therein, the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to release the interest of the State in certain real estate, to Sarah Elizabeth James."

"An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866."

"An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county, New York."

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Stanford, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the relief of John Van Arsdall, and to enable him to take and file his oath as justice of the peace, and to confirm his election and acts as such."

"An act to authorize exchange of public property for public uses, between the Commissioners of Emigration and the Commissioners of Public Charities and Correction."

"An act to amend chapter 565, Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company.'"

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of the first and last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to legalize the acts of James Conley, a justice of the peace in Yates county."

"An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad."

Assembly, "An act for the relief of Cora Moffat and Myra Moffat, infant children of William B. Moffatt, deceased."

After some time spent therein, the President resumed the chair, and Mr. Morgan, from said committee, reported that they have made some amendments to the first named bill, and amended the title by adding the words, "and to continue him in office for the term for which he was elected," and as amended, recommend its passage; which report was agreed to and said bill ordered to a third reading.

Mr. Morgan, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Morgan, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Hubbard moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York."

"An act to provide for the election and appointment of a police constable in the village of Forestville."

"An act to amend chapter 761 of the Laws of 1865, entitled 'An act to incorporate the Bay Side and New York Ferry Company.'"

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nichols, from the same committee, reported in favor of the passage of the second named bill, without amendment; which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nichols, from the same committee, reported in favor of the passage of the last named bill, without amendment.

By unanimous consent, Mr. Murphy moved to amend the report of the committee of the whole upon said bill, by adding to sec. 1, as follows:

"And the company incorporated in and by the said chapter, shall hereafter be known by the name of the Greenwood and New York Ferry Company."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Beach, the Senate adjourned.

## TUESDAY, MARCH 10, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Smart.

The journal of yesterday was read and approved.

Mr. Williams presented a remonstrance of citizens of Summerhill, against act to reimburse to citizens of said town, moneys paid by them for bounties, or to procure substitutes in the late war, which was read and referred to the committee on the judiciary.

Mr. Tweed presented a petition of the Mount Sinai Hospital of the city of New York, for State aid, which was read and referred to the committee on finance.

Mr. Murphy presented a remonstrance of 327 owners of real estate on Sacket street, in Brooklyn, against the bill to widen said street, which was read and referred to the committee on municipal affairs.

Mr. Cauldwell presented a petition of Gustav Pfeiffer and other citizens of Morrisania, in favor of the incorporation of the German Savings Bank, in that town, which was read and referred to the committee on banks.

Mr. Murphy presented a remonstrance against opening a certain avenue in New Lots, which was read and referred to the committee on roads and bridges.

Mr. Stanford presented a petition of citizens of Amsterdam and Port Jackson, relative to bridge between said towns, which was read and referred to the committee on roads and bridges.

Mr. O'Donnell presented remonstrances against the bill for the relief of the Black River Railroad Company, which were read and referred to the committee on railroads.

Mr. Stanford presented a remonstrance of citizens of Saratoga, against United States Hotel bill, which was read and referred to the committee on the judiciary.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to preserve order in public meetings, and to protect public halls or buildings used as such, and the property therein or appurtenant," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act providing for relief against illegal taxation in the county of Monroe and city of Rochester, and confirming the acts of the board of supervisors of Monroe county, and the common council of Rochester, in respect thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to relieve non-resident executors from the obligation of giving bonds by reason of their non-residence," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable executors and administrators of the estates of deceased persons, appointed in other States, to maintain actions in this State," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend the certificates of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Catharine D. A. Wacker the title of this State, acquired by escheat, in and to certain land," reported that they have made some amendments thereto, and amended the title by striking out the words "and to confirm her title thereto," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to release the interest of the State to certain lands of which Wm. Watt died seized and possessed, to Mrs. Mary Watt, his widow."

"An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian reservations in this State."

"An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue."

"An act to release the interest of the State in certain real estate, to Sarah Elizabeth James."

"An act to release and convey to Isabella Jackson the interest of the people of the State of New York in certain real estate."

"An act to incorporate the Catskill Savings Bank."

"An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866."

"An act for the relief of John Van Arsdall, and to enable him to take and file his oath as justice of the peace, and to confirm his election and acts as such."

Mr. Norton gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the West Side Savings Institution, of the city of New York.

Mr. Tweed gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Whitehall Savings Bank, of New York city.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to authorize the construction of an elevated corrugated iron railway in the counties of New York and Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to provide for transportation of passengers underground in the city of New York, and to authorize the organization of a railroad corporation for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Murphy asked and obtained leave to intro-

duce a bill entitled "An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river at Amsterdam, in the county of Montgomery,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to reduce to one act the several acts relating to buildings and the keeping and storing of combustibles and materials, in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize street railway companies and their lessees to connect with and use each others tracks, upon certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the Society of Agriculture and Horticulture of Westchester county, to mortgage, lease or sell real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

The bill entitled "An act to incorporate the Catskill Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks	Thayer
Campbell	Genet	Morris	Norton	Tweed
Cauldwell	Graham	Nichols	Stanford	Williams
Edwards	Hale			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian reservations in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks
Campbell	Genet	Morris	Norton

Thayer  
Tweed

Cauldwell	Graham	Murphy	O'Donnell	Williams	
Edwards	Hale	Nichols	Stanford		17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to legalize the acts of James Conley, a justice of the peace in Yates county, and to continue him in office during the term for which he was elected," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morris	Norton	Thayer	
Campbell	Genet	Murphy	O'Donnell	Tweed	
Cauldwell	Hale	Nichols	Stanford	Williams	
Edwards	Morgan	Nicks			18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Cora Moffatt and Myra Moffatt, infant children of William B. Moffatt, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks	Stanford	
Campbell	Genet	Morris	Norton	Thayer	
Cauldwell	Graham	Murphy	O'Donnell	Tweed	
Edwards	Hale	Nichols	Parker		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks	Stanford	
Campbell	Genet	Morris	Norton	Thayer	
Cauldwell	Graham	Murphy	O'Donnell	Tweed	
Edwards	Hale	Nichols	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866," was read a third time."

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Norton	Thayer	
Campbell	Genet	Morris	O'Donnell	Tweed	
Cauldwell	Graham	Nichols	Parker	Williams	
Edwards	Hubbard	Nicks	Stanford		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nichols	Parker	
Campbell	Genet	Morgan	Nicks	Stanford	
Cauldwell	Graham	Morris	Norton	Thayer	
Edwards	Hale	Murphy	O'Donnell	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act for the relief of John Van Arsdall, and to enable him to take and file his oath as justice of the peace, and to confirm his election and acts as such," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks	Stanford	
Campbell	Graham	Morris	Norton	Thayer	
Cauldwell	Hale	Nichols	O'Donnell	Tweed	
Edwards	Hubbard				17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 761 of the Laws of 1865, entitled 'An act to incorporate the Bay Side and New York Ferry Company,'" having been announced for a third reading,

On motion of Mr. Murphy and by unanimous consent, said bill was amended by substituting the following, in lieu thereof:

"An act to change the name of the Bay Side and New York Ferry Company, and otherwise to amend the act incorporating the same," passed June 6, 1865.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SEC. 1. The name of the Bay Side and New York Ferry Company is hereby changed to that of the Greenwood and New York Ferry Company.

§ 2. The sixth section of the act entitled "An act to incorporate the Bay Side and New York Ferry Company," passed June 6, 1865, is hereby amended so as to read as follows: The persons made directors in pursuance of the third section of this act shall be commissioners to receive



subscriptions for the capital stock of the company, and said company may commence business at any time within one year from the first day of May, one thousand eight hundred and sixty-eight.

§ 3. The seventh section of the said act is hereby amended so that the said company may lease, purchase, build and run steam ferry boats from any point between twenty-fifth and forty-fifth streets, in the city of Brooklyn.

§ 4. This act shall take effect immediately.

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	Nichols	Stanford	
Campbell	Graham	Morris	Nicks	Thayer	
Cauldwell	Hale	Murphy	Norton	Tweed	
Folger	Hubbard				17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Nichols offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly, requesting them to transmit to the Senate the petition of citizens of Buffalo, for the appointment of a stenographer in the courts of Erie county.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act authorizing the removal of the burying-ground in school district No. 1 of Brasher, St. Lawrence county, and for other purposes."

"An act to incorporate the Shelter Island Wharf and Improvement Company."

"An act to authorize the Mariposa Company to issue a first preferred stock."

After some time spent therein, the President resumed the chair, and Mr. Beach, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Beach, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county, New York."

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

After some time spent therein, the President resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Norton, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Tweed moved that the executive session be postponed from tomorrow, until Thursday at 12 o'clock m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Tweed moved that when the Senate adjourn it adjourn until tomorrow evening at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Stanford moved that the bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad," be recommitted to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Graham, the Senate adjourned.

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### WEDNESDAY, MARCH 11, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Adelberg.

The journal of yesterday was read and approved.

Mr. Beach presented three remonstrances, against the Schoharie Kill Bridge Turnpike Company, which were read and referred to the committee on roads and bridges.

Mr. Nichols presented a petition for an act to declare the village of Williamsville a separate road district, which was read and referred to the committee on municipal affairs.

Mr. Bradley presented a remonstrance of Henry Bergen and others, against changing the name of the Reformed Protestant Dutch Church, by striking out the words "Protestant" and "Dutch," which was read and referred to the committee on charitable and religious societies.

Mr. Creamer presented a petition of Sisters of St. Dominick, for aid, which was read and referred to the committee on finance.

Mr. Humphrey presented a petition of citizens of Portageville, praying for the passage of an act repealing the act passed April 5, 1867, increasing the powers of the trustees of said village, which was read and referred to the committee on municipal affairs.

Mr. O'Donnell presented two remonstrances against amending the Black River railroad act, which was read and referred to the committee on railroads.

Also, a petition of citizens of Lewis county, in favor of removing the bridge at Lyon's Falls, which was read and referred to the committee on canals.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the town of Watervliet, in the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill for the relief of William A. Van Dusen (Assembly bill No. 93), respectfully report:

That they have examined the petition and other papers (including the certificate of the Comptroller), accompanying the same, and find the following facts:

On the 15th day of December, 1866, the petitioner purchased of the State lot No. 70, in the old survey of township No. 5 of the Old Military Tract in the county of Clinton, and paid therefor the sum of \$343, as appears by the receipt of the treasurer annexed to the petition. The petitioner never took possession of the lot.

On the 1st day of May, 1867, the sale was cancelled by virtue of an order of the Supreme Court, made long prior to the sale, directing the assessors to assess this township by the old survey only.

The petitioner's title having been taken away by the act of the State, your committee can see no reason why his money, with interest thereon, should not be refunded.

We therefore recommend the passage of the Assembly bill, without amendment.

All which is respectfully submitted.

Dated March 10, 1868.

M. HALE, *Chairman.*

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to authorize the Erie and New England Railroad Company to construct and maintain a steam ferry on the Hudson river, at some point between Stoney Point and Fort Montgomery, on said river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the transportation of passengers in the city of New York by means of street railways, to be constructed through certain streets and avenues therein," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28, 1868," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh railroad," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal, from the aqueduct to a point ten chains west of Lyell street, in the city of Rochester,' passed June 21, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal in the city of Rochester, in the county of Monroe," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to appoint commissioners of fisheries for the State of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on public health, to which was refer-

red the bill entitled "An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on public health, to which was referred the bill entitled "An act in relation to the practice of physic and surgery," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 565, Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company.'"

"An act to provide for the election and appointment of a police constable in the village of Forestville."

"An act authorizing the removal of the burying ground in school district No 1 of Brasher, St. Lawrence county, and for other purposes."

"An act to authorize exchange of public property for public uses, between the Commissioners of Emigration and the Commissioners of Public charities and Corrections."

"An act to change the name of the Bay Side Ferry Company, and otherwise to amend the act incorporating the same," passed June 6, 1865.

"An act to incorporate the Shelter Island Wharf and Improvement Company."

"An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county, New York."

The Assembly sent for concurrence the bills entitled as follows:

"An act to define the boundaries of school district No. 1, of the town of Wheatland and county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail thereon and the fare on the same,' passed May 8, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Protectives No. 1, of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Genet gave notice that he would, on some future day, ask leave to introduce a bill providing for the protection of passengers traveling on Fourth avenue, in the city of New York.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to incorporate the Fulton Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 1853," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act relative to writs of prohibition," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to provide for taxing corporations and joint stock associations, chartered or doing business under special or general law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the German Savings Bank of the town of Morrisania," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortland, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Whitehall Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Stock Transfer Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing the trustees of Cortlandville Academy to remove academy building and appurtenances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act for the relief of Charles H. Gage and James H. Gage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The bill entitled "An act to release the interest of the State to certain lands of which William Watt died seized and possessed, to Mrs. Mary Watt, his widow," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks  
Bradley

Crowley  
Folger

Humphrey  
Kennedy

Norton  
O'Donnell

Pierce  
Stanford

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Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Graham	Murphy	Parker	Tweed
Creamer	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release and convey to Isabella Jackson the interest of the people of the State of New York in certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Pierce
Bradley	Edwards	Humphrey	Norton	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Morgan	Palmer	Tweed
Creamer	Graham	Murphy	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the State in certain real estate, to Sarah Elizabeth James," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Murphy	Pierce
Beach	Edwards	Humphrey	Norton	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Morgan	Palmer	Tweed
Creamer	Graham	Morris	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Shelter Island Wharf and Improvement Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Murphy	Pierce
Bradley	Folger	Humphrey	Norton	Stanford
Cauldwell	Genet	Morgan	Palmer	Thayer
Creamer	Graham	Morris	Parker	Tweed

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize exchange of public property for public uses between the Commissioners of Emigration and the Commissioners of Public Charities and Correction," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Kennedy	Palmer
Beach	Creamer	Hale	Morris	Pierce

Palmer  
Pierce

Bradley	Edwards	Hubbard	Norton	Stanford	
Campbell	Folger	Humphrey	Palmer	Thayer	
Cauldwell	Genet				22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to change the name of the Second Presbyterian Church and Society of Watertown, to the Stone Street Presbyterian Church of Watertown,' passed April 1, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	O'Donnell	
Bradley	Edwards	Hubbard	Morris	Palmer	
Campbell	Genet	Humphrey	Murphy	Parker	
Cauldwell	Graham	Kennedy	Norton	Thayer	20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the election and appointment of a police constable in the village of Forestville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Bradley	Edwards	Humphrey	Norton	Pierce	
Campbell	Folger	Kennedy	O'Donnell	Stanford	
Cauldwell	Genet	Morgan	Palmer	Thayer	
Creamer	Graham				22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the removal of the burying-ground in school district No. 1, of Brasher, St. Lawrence county, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Norton	Pierce	
Beach	Edwards	Humphrey	Palmer	Stanford	
Bradley	Genet	Morgan	Parker	Thayer	
Campbell	Graham	Morris			18

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to the Beaverkill river, in the town of Hancock, Delaware county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Norton	Pierce
Bradley	Folger	Kennedy	O'Donnell	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Caldwell	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Stanford and by unanimous consent, the rule was suspended and the bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," was recommitted to the committee on railroads, with power to report complete.

Mr. Palmer moved that the Assembly bill entitled "An act to amend an act entitled 'An act to grant to William Orton, Charles C. Leigh and Charles Havard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Kennedy offered the following resolution:

*Resolved*, That there be printed for each member, officer and reporter of the Senate, ten copies of the Transactions of the State Medical Society.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Norton moved that the bill entitled "An act to incorporate the Cartmen's Protective Union of the city of New York," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the Cartmen's Protective Union of the city and county of New York."

"An act to authorize the Mariposa Company to issue a preferred stock."

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein, the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Stanford moved that the last named bill, with amendments proposed by Mr. Morgan, be made the special order to-morrow morning, immediately after the reading of the journal, and continued from day to day until disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Campbell	Hale	Kennedy	Palmer	Stanford
Crowley	Humphrey	Morgan	Parker	Thayer
Folger				

11

## FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard		

18

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to facilitate the acquisition by the Dutchess and Columbia Railroad Company of the real estate required for the purposes of its incorporation, and to allow it to change the Northern terminus of its road, and for other purposes,' passed April 22, 1867."

Assembly, "An act to incorporate the Rensselaer Park Association."

"An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of Mortgages by advertisement.'"

After some time spent therein, the President resumed the chair, and Mr. Banks, from said committee, reported in favor of the passage of the first and last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Banks, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate 'The Hudson Highland Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

"An act to amend an act entitled 'An act to provide for the construction of a culvert under the Erie canal, in the village of Canastota,' passed April 10, 1867."

"An act to extend the time for the collection of taxes in the town of Watervliet, in the county of Albany."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Bradley, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hubbard moved that the bill entitled "An act to facilitate the construction of the New York and Oswego Midland Railroad, and to amend the several acts in relation thereto," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Hubbard, the Senate adjourned.

## THURSDAY, MARCH 12, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Edwards presented a petition of Marine Insurance companies and ship owners of the city of New York, for amendment of Hell Gate Pilot laws, which was read and referred to the committee on commerce and navigation.

Mr. Folger presented a petition of citizens of Seneca county, for aid to drain Cayuga marshes, which was read and referred to the committee on canals.

Mr. Stanford presented a petition of citizens of Schenectady county, asking for an act to authorize the city of Schenectady to purchase steam fire engine, which was read and referred to the committee on municipal affairs.

Mr. Mattoon presented a petition of the common council of the city of Oswego, for an amendment to the charter of said city, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented a petition of citizens of Buffalo to postpone appropriations for rebuilding the State Capitol, which was read and referred to the committee on finance.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in communion with the Protestant Episcopal Church," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15, 1852," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to enable the trustees of the Mendon Congregational Society of Mendon, Monroe county, New York, to sell their church property,' passed March 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the title of the New York Woman's Infirmary Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize and empower the Society of the First Baptist Church of Boonville, to sell and convey certain real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was

referred the bill entitled "An act to repeal the several acts authorizing the establishment and support of a jail or lock-up in each of the villages of Cohoes and West Troy, in the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the Rochester Waterworks Company, passed April 16, 1852; to increase the capital stock and authorize the city of Rochester to aid in the construction of said works, pursuant to section 26 of said act,' passed March 26, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for payment of fire hose furnished to the fire department of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to frauds in assessments for local improvements in the city of New York,' passed April 17, 1858," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to the village of Monticello," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to close Flood's alley, in the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to suppress the sale of adulterated and explosive oils in the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to provide for raising additional money for the use of the academy, new school house, and the library, in the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Bradley, from the committee on insurance, to which was referred the bill entitled "An act to authorize certain life insurance companies to make annual dividends," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act in relation to railroad corporations," reported

that they have made some amendments thereto, and amended the title so as to read as follows: "An act in relation to the New York, Housatonic and Northern Railroad Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the construction of a culvert under the Erie canal, in the village of Canastota,' passed April 10, 1867."

"An act to amend an act entitled 'An act to facilitate the acquisition by the Dutchess and Columbia Railroad Company of the real estate required for the purposes of its incorporation, and to allow it to change the northern terminus of its road, and for other purposes,' passed April 22, 1867."

"An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to incorporate the Cartmen's Protective Union of the city and county of New York."

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to grant to William Orton, Charles C. Leigh and Charles Havard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act relative to writs of prohibition," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the consolidated express," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the Manhattan Express Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Mattoon, from the committee on public printing, to which was referred the following resolution:

*Resolved*, (if the Assembly concur,) That the Clerk furnish each member of the Legislature with one copy of each of the volumes of the journal, documents and debates of the Constitutional Convention.

Reported in favor of the adoption of the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks  
Campbell

Edwards  
Graham

Mattoon  
Morgan

Nicks  
O'Donnell

Pierce  
Stanford

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Cauldwell	Hale	Morris	Palmer	Thayer	
Crowley	Hubbard	Nichols	Parker	Van Petten	20

## FOR THE NEGATIVE.

Bradley	Murphy	Tweed	8
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Mr. Murphy moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the Transactions of the State Medical Society, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed for each member, officer and reporter of the Senate, ten copies of the Transactions of 1868, of the State Medical Society (Allopathic), ten copies of the Transactions of the State Homœopathic Medical Society, and ten copies of the State Eclectic Medical Society.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Palmer	Stanford	
Beach	Graham	Mattoon	Parker	Thayer	
Campbell	Hale	Morgan	Pierce	Van Petten	
Cauldwell	Hubbard	Nichols			18

## FOR THE NEGATIVE.

Bradley	Folger	Genet	Murphy	Tweed	5
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Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to protect, improve and keep in repair 'The Buffalo and Williamsville Macadam road,' in the county of Erie," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

The President presented a communication from the President of the Whitehall Transportation Company, and of Glen's Falls Transportation Company, relative to the condition of the Champlain canal; which was referred to the committee on canals, and ordered printed.

(See Doc. No. 54.)

Also, a communication from the Secretary of the Constitutional Convention, transmitting copies of resolutions adopted by the Convention, in reply to a resolution of the Senate relative to the expenses of the Convention; which was referred to the committee on finance, and ordered printed.

(See Doc. No. 52.)

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, March 10, 1868.

*Resolved*, That a respectful message be sent to the Senate requesting them to transmit to this House the petitions, affidavits, maps and surveys in the matter of the claim of John E. Westlake and others, for canal damage, on file in that body, and that the same be referred to the committee on claims.

By order.

C. W. ARMSTRONG, Clerk.

Mr. Hale moved that the committee on claims be discharged from the further consideration of the petition and papers in said resolution mentioned, and that they be transmitted to the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Genet asked and obtained leave to introduce a bill entitled "An act for the protection of persons traveling on Fourth avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to incorporate the Pullman Pacific Car Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act in relation to the engineers attached to the several steam fire engines in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to enable Conrad Poppenhusen to found an Institution in the village of College Point," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate the Port Richmond and Bergen Point Ferry Company, and to repeal chapter 306 of the Laws of 1848, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to establish and define the boundaries of school district No. 5, of the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize the city of Schenectady to purchase an additional steam fire engine," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Oswego,' passed March 26, 1849, and the acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the West Side Savings Institution of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Richfield Springs, in the county of Otsego,' passed March 30, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to discriminate the compensation of coroners of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859; passed April 8, 1861,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker
Bradley	Edwards	Humphrey	Nichols	Pierce
Campbell	Folger	Kennedy	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Van Petten
Creamer				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Cartmen's Protective Union of the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Norton	Thayer
Beach	Edwards	Nichols	O'Donnell	Tweed
Cauldwell	Hubbard	Nicks	Parker	Williams
Creamer	Morgan			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to facilitate the acquisition by the Dutchess and Columbia Railroad Company of the real estate required for the purposes of its incorporation, and to allow it to change the northern terminus of its road, and for other purposes,' passed April 22, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Parker
Beach	Edwards	Hale	Nichols	Stanford
Bradley	Folger	Hubbard	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Rensselaer Park Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Genet	Morris	Palmer	Thayer
Cauldwell	Graham	Murphy	Parker	Williams
Creamer	Hale			

22

## FOR THE NEGATIVE.

O'Donnell	Van Petten
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Van Petten
Campbell	Folger	Morris	Palmer	Williams
Cauldwell	Hale	Nichols	Parker	

19

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the construction of a culvert under the Erie canal, in the village of Canastota,' passed April 10, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Parker
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	Norton	Tweed
Cauldwell	Hale	Morris	O'Donnell	Van Petten
Creamer				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Watervliet, in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	O'Donnell
Beach	Folger	Kennedy	Nichols	Palmer
Bradley	Genet	Mattoon	Nicks	Parker
Cauldwell	Graham	Morgan	Norton	Thayer
Creamer	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hale offered the following resolution:

*Resolved*, That the Senate hold a session this evening, at 7½ o'clock, for the consideration of general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

"An act relative to the collection of taxes in the town of Potsdam in the county of St. Lawrence."

"An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the second named bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the negative.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Stanford moved that the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Con-

tracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted,'" be made the special order for this evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' passed April 11, 1859."

"An act to incorporate the New York Elevator Company."

"An act to amend the charter of the Irving Fire Insurance Company."

After some time spent therein, the President resumed the chair, and Mr. Campbell, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed moved that the Senate now take a recess.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Beach	Genet	Nichols	Tweed	5
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#### FOR THE NEGATIVE.

Bradley	Crowley	Humphrey	Morris	Parker	
Campbell	Edwards	Kennedy	Nicks	Pierce	
Chapman	Folger	Mattoon	O'Donnell	Thayer	
Creamer	Hale	Morgan	Palmer	Van Petten	20

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act making appropriations for the support of common schools"

After some time spent therein, the President resumed the chair, and Mr. Edwards, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Chapman, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Parker
Bradley	Crowley	Humphrey	Nicks	Pierce
Campbell	Edwards	Kennedy	Norton	Stanford

Cauldwell	Folger	Morgan	O'Donnell	Thayer	
Chapman	Graham	Morris	Palmer	Van Petten	25

## FOR THE NEGATIVE.

Tweed

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Creamer, the Senate took a recess until 7½ o'clock p. m.

## HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Stanford moved to make said bill the special order to-morrow morning, immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Parker	
Beach	Folger	Morgan	Nicks	Stanford	
Campbell	Hale	Morris	O'Donnell	Thayer	
Chapman	Humphrey	Murphy	Palmer	Van Petten	29

## FOR THE NEGATIVE.

Bradley	Creamer	Graham	Pierce	Tweed	
Cauldwell	Genet	Norton			8

Mr. O'Donnell offered the following resolution:

*Resolved*, That the committee on finance be empowered to send for persons and papers in the matter of the memorial of O. B. Latham, relating to the new capitol.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the offices of recorder, assessor, chamberlain, and city attorney, of the city of Troy," passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Tweed presented a memorial of the mayor, aldermen and commonalty of the city of New York, for the passage of an act authorizing them to extend Lexington avenue, northerly from its present terminus to the Harlem river, which was read and referred to the committee on municipal affairs.

Mr. Pierce moved that the committee on commerce and navigation be discharged from the further consideration of the bill entitled "An act to incorporate the People's Mutual Warehousing and Security Company," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hale moved that the committee on claims be discharged from the further consideration of the petition of Stephen T. Owens for relief, and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

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### FRIDAY, MARCH 13, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Father Taney.

The journal of yesterday was read and approved.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made the special order for this evening, and that a session be held at 7½ o'clock, for that purpose.

Mr. Creamer moved "Tuesday evening, at 7½ o'clock."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

Mr. Van Petten presented a memorial of George Heath, late Superintendent of Canals, in favor of an appropriation to pay expenses of the erection of a pair of improved gates upon the Erie canal, which was read and referred to the committee on canals.

Mr. Mattoon presented a petition of citizens of Oneida village, for the removal of obstructions in the Cowaselon creek, caused by the enlargement of the Erie canal, which was read and referred to the committee on canals.

Mr. Murphy presented a petition of E. T. Brown and others, to incorporate the International Dock Company of the port of New York, which was read and referred to the committee on commerce and navigation.

Mr. Nichols presented a petition of merchants, forwarders and others, of Buffalo, for early action to put canals in repair, which was read and referred to the committee on canals.

Mr. Campbell presented two memorials of citizens of Utica and Rome, for the repair and maintenance of the canals, which were read and referred to the committee on canals.

Mr. O'Donnell presented two remonstrances of citizens of New York, against striking out the words "Dutch" and "Protestant," from the title of the Reformed Protestant Dutch Church, which were read and referred to the committee on charitable and religious societies.

Mr. Murphy presented a remonstrance of citizens of New York, upon same subject, which was read and referred to the committee on charitable and religious societies.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act to authorize the treasurer to pay certain moneys to the city of Rochester," reported that they have made some amendments thereto, and amended the title so as to read "An act for the relief of the city of Rochester," and as amended, reported the same to the Senate, and in writing, and recommend its passage; said bill was committed to the committee of the whole.

*(See Doc. No. 55.)*

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to enable the board of education of the city of Syracuse to transfer the funds belonging to said city arising from the gospel and school lots to the permanent fund under their control for school purposes, and expend the same as a part of such fund," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Buffalo Park," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessors, chamberlain, and city attorney, of the city of Troy,' passed April 19, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the better establishment, government, regulation and economy of common schools in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo and enlarge its boundaries,' passed April 13th, 1863, and the several acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of the commissioners of Prospect Park, Brooklyn,

for the extension of said park, and other purposes, reported by bill entitled "An act for the further extension of Prospect Park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize street railway companies and their lessees to connect with and use each others' tracks, upon certain conditions," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to provide for taxing corporations and joint stock associations chartered or doing business under special or general law," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the National Safe Deposit Company of the city of New York, to complete its organization and commence business," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the Plattekill Clove Turnpike Road Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize Marcus N. Preston and Heman D. Fulton, to sell and convey as trustees the church property of the First Religious Society of Borodino," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Geneva Savings Bank," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to declare and establish the civil rights and status of the issue of certain intermarriages of Seneca Indians with white women," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Union Safe Deposit Company," reported that they have made some amendments thereto, and amended the title by adding thereto the words "of New York city," and as amended, recommend its passage; said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the building of a town house, in the town of Minden, Montgomery county, to be used for a town hall, temporary jail, and engine house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate 'The Depositors' Savings Bank,' of New York city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the election of an additional justice of the peace in the town of Pierrepont, county of St. Lawrence," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853; and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to reorganize the Congregational and Baptist Society of North Murray, and to incorporate the First Baptist Church and Society of Kendall, Orleans county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867."

"An act to amend the charter of the Irving Fire Insurance Company."

"An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

"An act to incorporate the New York Elevator Company."

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to impose taxes upon certain laws enacted by the Legislature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 7, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the appointment of commissioners to locate a site for an asylum for the insane in one of the western or southern tier of counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act relating to State and county medical societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies and public health.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Union Gold Mining Company of Colorado," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to incorporate the Commercial Agency and Credit Guaranty Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850; passed March 19, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend section 7 of title 6 of chapter 1 of part 4 of the Revised Statutes, in relation to buying lands in suit, or out of possession," which was read the first time, and by unanimous con-



sent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Association of the Soldiers' Home, of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to authorize the appointment of a financial examiner in the city and county of New York.

The bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Norton	Stanford
Beach	Creamer	Morgan	O'Donnell	Thayer
Bradley	Edwards	Morris	Palmer	Tweed
Campbell	Hale	Nichols	Parker	Van Petten
Cauldwell	Hubbard	Nicks	Pierce	Williams

25

FOR THE NEGATIVE.

Crowley

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Creamer	Mattoon	Norton	Pierce
Bradley	Edwards	Morris	O'Donnell	Tweed
Campbell	Hale	Murphy	Palmer	Van Petten
Cauldwell	Hubbard			

22

FOR THE NEGATIVE.

Crowley

Morgan

Nicks

Thayer

4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Irving Fire Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Nicks	Parker	
Bradley	Creamer	Morgan	Norton	Pierce	
Campbell	Edwards	Morris	O'Donnell	Thayer	
Cauldwell	Hale	Nichols	Palmer	Van Petten	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the New York Elevator Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Morgan	O'Donnell	Thayer	
Bradley	Hale	Morris	Parker	Tweed	
Cauldwell	Hubbard	Nichols	Pierce	Van Petten	
Chapman	Humphrey	Nicks	Stanford	Williams	
Creamer	Mattoon	Norton			28

## FOR THE NEGATIVE.

Banks	Crowley	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' passed April 11, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Thayer	
Beach	Crowley	Morgan	Palmer	Tweed	
Bradley	Edwards	Morris	Parker	Van Petten	
Campbell	Hubbard	Nichols	Pierce	Williams	
Cauldwell	Humphrey	Norton	Stanford		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to make the amount insured by fire insurance companies evidence of the value of property destroyed by fire," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

*Mr. Beach offered the following resolution:*  
*Resolved, That there be printed under the direction of the Inspector-General, 300 extra copies of his annual report for 1867, for distribution to the officers of the National Guard.*  
*Ordered, That said resolution be referred to the committee on public printing.*  
*Mr. Beach moved that when the Senate adjourn to-day, it adjourn until Monday evening, at 7½ o'clock.*  
*The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:*

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Edwards	Norton	Stanford	
Beach	Creamer	Folger	Pierce	Williams	
Bradley	Crowley	Kennedy			18

## FOR THE NEGATIVE.

Campbell	Humphrey	Murphy	O'Donnell	Thayer	
Chapman	Morgan	Nichols	Palmer	Tweed	
Hale	Morris	Nicks	Parker	Van Petten	6
Hubbard					

Mr. Humphrey moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Humphrey	Morris	O'Donnell	Tweed	
Chapman	Morgan	Nichols	Parker	Van Patten	
Hale					11

## FOR THE NEGATIVE.

Banks	Creamer	Folger	Murphy	Stanford	
Beach	Crowley	Hubbard	Norton	Thayer	
Bradley	Edwards	Kennedy	Pierce	Williams	
Cauldwell					16

Mr. Beach moved that when the Senate adjourn, it adjourn until Monday evening, at 7 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Norton	Pierce	
Beach	Creamer	Hale	Palmer	Stanford	
Bradley	Crowley	Kennedy	Parker	Williams	
Cauldwell	Edwards	Nicks			18

## FOR THE NEGATIVE.

Campbell	Morgan	Murphy	O'Donnell	Van Petten	
Hubbard	Morris	Nichols	Thayer		9

Mr. Thayer moved that the Senate resolve itself into a committee of the whole upon the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23, 1867."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said entitled bill.

After some time spent therein, the President resumed the chair, and Mr. Van Petten, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Thayer, the Senate adjourned.

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### MONDAY, MARCH 16, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of Friday was read and approved.

Mr. Stanford presented a petition of citizens of Fort Plain, Montgomery county, for early passage of law repealing contract system, which was read and referred to the committee of the whole.

Mr. Van Petten presented a petition of John Flint and others, of Queensboro, in favor of repeal of the present excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Cauldwell presented a remonstrance of citizens of Westchester, against the passage of an act for the repeal of an act authorizing the extension of Central avenue, in Westchester county, which was read and referred to the committee on roads and bridges.

Also, a petition of citizens of Stony Point, Rockland county, in favor of the passage of an act to enable cities, villages and towns, on the west shore, to subscribe for stock of the West Shore Hudson River Railroad Company, which was read and referred to the committee on railroads.

Mr. Graham presented two petitions of citizens of Callicoon, asking that chapter 121, Laws of 1867, be amended by striking out of the first section the word "Callicoon," which were read and referred to the committee on roads and bridges.

Mr. Banks presented a memorial of the board of trade of Albany, in regard to the canals, which was read and referred to the committee on canals.

Also, a memorial of lumber dealers of Albany, in reference to the canals, which was read and referred to the committee on canals.

Mr. Folger presented a petition of W. H. Goodwin and eleven others, of Clifton Springs, Ontario county, in favor of removal of the Genesee College from Lima to Syracuse, which was read and referred to the committee on charitable and religious societies.

Mr. Banks presented a memorial of citizens of West Troy, in relation to canal between West Troy and Albany, which was read and referred to the committee on canals.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the bill entitled "An act to incorporate the New York City Central Underground Railway Company, and to authorize said company to construct and operate a certain underground railway in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Genet, as one of the committee on railroads, stated his dissent from the report of the majority on the above entitled bill, and asked leave to report by bill entitled "An act to provide for transportation underground in the city of New York, and to authorize the organization of a railroad corporation for that purpose," and also asks that the same be referred to the committee of the whole and printed, which was agreed to.

The President presented the annual report of the Commissioners of Emigration, for the year ending December 31, 1867, which was laid on the table and ordered printed.

(See Doc. No. 111.)

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *March 13, 1868.*

*Resolved*, (if the Senate concur,) That the Catholic Clergy of Erie county, New York, are hereby permitted to enter and officiate in the penitentiary of Erie county, and that the keepers of said penitentiary are hereby requested and directed to afford the same facilities to such clergy as is now afforded to other denominations for the ministration of clerical offices.

By order,

C. W. ARMSTRONG, *Clerk.*

*Ordered*, That said resolution be laid upon the table.

The Assembly sent for concurrence the bills entitled as follows:

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the 1st day of October, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize a tax of one mill per dollar of valuation for construction of new work upon and extraordinary repairs of the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the 1st day of October, 1868; and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act relative to courts of special sessions of the peace, in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Edwards gave notice that he would, on some future day, ask leave to introduce a bill to amend chapter 173, Laws of 1867, passed March 28, 1867, relative to the building of town hall in the village of Jamaica, Queens county.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to incorporate the Isthmus Ship Canal Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act for the relief of the village of Branchport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act relating to loans by the Troy Savings Bank, on bonds and mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to repeal the act for the registration of births, marriages and deaths, passed April 28, 1847," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to drain lands in the town of Wallkill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act in relation to election districts in the town of Wallkill, Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in Lexington avenue, and certain other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act regulating proceedings in certain cases, and to conform the same to the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to incorporate the village of Hamilton, in the town of Hamilton, county of Madison, and to repeal its present charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to amend section 271 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the corporation of the village of Hamilton to issue bonds and take stock in the Utica, Clinton and Binghamton Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to provide for the laying out, opening and closing streets, roads and avenues in the town of Morrisania, Westchester county.

Also, a bill to provide for the better regulation of shipping in the harbor of New York, and to abolish the office of harbor master.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the city of Ogdensburgh."

"An act for the more effectual protection of highways and bridges."

"An act to amend the act entitled 'An act to facilitate the construc-

tion of the Southern Central Railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

After some time spent therein, the President resumed the chair, and Mr. Van Petten, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Van Petten, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the town of Yonkers, in the county of Westchester,' passed April 5, 1866."

Assembly, "An act to repeal section 1 of the act entitled 'An act to amend the charter of the village of Bath, in the county of Steuben,' passed April 3, 1867."

Assembly, "An act to provide for raising additional money for the use of the academy, new school house, and the library, in the city of Utica."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education.'"

"An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank, in the village of Binghamton, Broome county, New York,' passed April 18, 1867."

Assembly, "An act to incorporate the Ithaca Waterworks Company."

After some time spent therein, the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Genet, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Genet, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Chapman moved that the committee of the whole be discharged from the further consideration of said bill, and that it be referred to the committee on the erection and division of towns and counties, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to subject certain debts owing to non-residents to taxation,' passed July 2, 1851."

"An act empowering the board of supervisors of the county of Westchester to require the collectors of the different towns in that county to pay over taxes at stated times."

"An act providing for the payment of certain taxes and assessments upon property of railroad companies, situated in the Cattaraugus and Allegany Reservations, to the treasurer of the Seneca nation of Indians, for educational purposes."

After some time spent therein, the President resumed the chair, and Mr. Hale, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Hale, from the same committee, reported that they have made some amendments to the last named bill, and amended the title by striking out "treasurer of the Seneca nation of Indians" and inserting in lieu thereof "county judge of Cattaraugus county," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize the town of Arcade, in the county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located for the Attica and Allegany Valley railroad."

"An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York."

"An act to amend the charter of the Home Insurance Company."

After some time spent therein, the President resumed the chair, and Mr. Morris, from said committee, reported that they have made some amendments to the first named bill, and amended the title by striking out the words "town of Arcade," and inserting in lieu thereof the words "towns of Arcade and Java," and as amended, recommend its passage; which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morris, from the same committee, reported in favor of the passage of the second named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morris, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act for the relief of Cora Moffat and Myra Moffat, infant children of William B. Moffatt, deceased."

"An act to incorporate the Rensselaer Park Association."

"An act to legalize the acts of James Conley, a justice of the peace in Yates county."

"An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to increase the compensation of the county treasurer of the county of Onondaga."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Nicks, the Senate adjourned.



TUESDAY, MARCH 17, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Abbott.

The journal of yesterday was read and approved.

Mr. Murphy presented a petition of David Dows & Co., and others, of the New York Produce Exchange, for prompt legislation for the immediate repair of the canals, which was read and referred to the committee on canals.

Mr. Humphrey presented a petition of citizens of Livingston county, asking for the passage of an act prohibiting directors of the Hudson River and Harlem railroad from holding same position in the New York Central and Erie railway, which was read and referred to the committee on railroads.

Mr. Stauford presented a petition of the board of trustees of Fort Plain, Montgomery county, for the passage of an act to amend the charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Murphy presented a petition of Charlotte Dalton, widow of Peter Dalton, an alien, for relief, which was read and referred to the committee on the judiciary.

Also, a petition of the officers and members of the Ship Owners' Association of the State of New York, for an act of incorporation, which was read and referred to the committee on commerce and navigation.

Mr. Kennedy presented a petition of Nathan Cobb and others, for an appropriation for the construction of a vertical wall on the berme bank of the Erie canal, at Syracuse, which was read and referred to the committee on canals.

Mr. Crowley presented a petition of John Van Horn and others, for speedy action relative to the canals, which was read and referred to the committee on canals.

Mr. Folger presented a petition of the board of trustees of Dresden, Yates county, for relief, on account of failure to hold their charter election at the proper time, which was read and referred to the committee on municipal affairs.

Mr. Hubbard presented a petition of citizens of Delhi, Delaware Co., for an act authorizing said town to aid in the construction of a court house, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Chapman presented a petition of the common council of Binghamton, for the passage of amendments to the charter of said city, which was read and referred to the committee on municipal affairs.

Also, a petition of citizens of Binghamton, for authority to build bridges over the Chenango and Susquehanna rivers, at that place, which was read and referred to the committee on roads and bridges.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act providing for the payment of certain taxes and assessments upon property of railroad companies, situated in the Cattaraugus and Allegany Reservations, to the county judge of Cattaraugus county, for educational purposes."

"An act empowering the board of supervisors of the county of Westchester to require the collectors of the different towns in that county to pay over taxes at stated times."

"An act to amend the charter of the Home Insurance Company."

"An act to amend an act entitled 'An act to subject certain debts owing to non-residents to taxation,' passed July 2, 1851."

"An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,' passed March 3d, 1857."

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

"An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the town of Yonkers, in the county of Westchester,' passed April 5, 1866."

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate the Ithaca Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers and persons furnishing materials toward the erection, altering or repairing buildings in the city of New York,' passed May 5, 1863," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing to Mary McGraw all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act regulating the fees of the county clerk of the county of Westchester, in relation to transcripts of judgments," reported adversely thereto.

Mr. Cauldwell moved that the report do lie upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the trustees of the Synod of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the extension of the time for the collection of taxes in the towns of Middletown and Southfield, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Grocers' Tea Dealers' and Clerks' Early Closing Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Association of the United Sharpshooters of New York and vicinity," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the judges of the several courts of the county of Kings, to sentence persons sentenced for terms less than five years to the penitentiary of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act in relation to sheriffs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Brooklyn and New York Loan and Warehousing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to defray the expense thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to legalize the election of constable and collector of the village of Batavia, in the county of Genesee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

In pursuance of previous notice, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act for the laying out, opening and closing of streets, roads and avenues, in the town of Morrisania, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to create a board of trustees for the town of West Farms, Westchester county, and to define their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to change the name of the New York Ladies' Educational Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to provide for the revision of the charter of

the city of Buffalo, and to appoint commissioners for that purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to enable the First Free Methodist Church, in the city of Syracuse, to elect trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act in relation to the police and fire department of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga, Salina, and parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river, between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act authorizing the trustees of Cortlandville Academy to convey certain real estate, and to remove academy buildings and appurtenances," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to legalize certain acts of the trustees of school district No. 14, of Schroepfel and Volney," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, New York, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect three trustees in said district," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish and define the boundaries of school district No. 1, of the town of Wheatland, and county of Monroe," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred

the Assembly bill entitled "An act to authorize the sale and conveyance of the Jamestown Academy and site, and a portion of the site of the central school of the union free school district No. 1, of the town of Ellcott," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was recommended the bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17th, 1858," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856; by changing the manner of electing the trustees thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Creamer	Hubbard	Murphy	Stanford
Bradley	Edwards	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Parker	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the act entitled 'An act to facilitate the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Creamer	Hubbard	Murphy	Stanford
Bradley	Edwards	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Parker	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the town of Yonkers, in the county of Westchester,' passed April 5, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Campbell	Chapman	Hubbard	Van Petten	
Bradley	Cauldwell	Hale	Stanford		9

## FOR THE NEGATIVE.

Crowley	Folger	Morgan	Murphy	Thayer	
Edwards	Kennedy	Morris			8

Mr. Cauldwell moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Parker	
Bradley	Creamer	Humphrey	Murphy	Pierce	
Campbell	Genet	Kennedy	Nichols	Thayer	
Cauldwell	Hale	Morgan	Nicks	Van Petten	20

## FOR THE NEGATIVE.

Folger					1
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Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Murphy	Pierce	
Bradley	Edwards	Humphrey	Nichols	Stanford	
Cauldwell	Genet	Kennedy	Nicks	Thayer	
Chapman	Hale	Morris	Parker	Van Petten	20

## FOR THE NEGATIVE.

Crowley	Folger				2
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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to repeal section 1 of the act entitled 'An act to amend the charter of the village of Bath, in the county of Steuben,' passed April 3, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Edwards	Humphrey	Parker	
Beach	Chapman	Genet	Morris	Pierce	
Bradley	Creamer	Hale	Nichols	Thayer	
Campbell	Crowley	Hubbard	Nicks	Van Petten	20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for raising additional money for the use of the academy, new school house, and the library, in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Crowley	Humphrey	Nicks	Thayer
Campbell	Edwards	Kennedy	Parker	Van Petten
Cauldwell	Folger	Morgan		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,'" passed March 3, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Bradley	Edwards	Humphrey	Nichols	Stanford
Cauldwell	Folger	Kennedy	Nicks	Thayer
Chapman	Hale	Morgan	Parker	Van Petten
Creamer				

21

By unanimous consent, the rule was suspended and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents to taxation,' passed July 2, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Nichols	Stanford
Campbell	Edwards	Humphrey	Nicks	Thayer
Cauldwell	Folger	Kennedy	Parker	Van Petten
Chapman	Genet	Morgan		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act empowering the board of supervisors of the county of Westchester to require the collectors of the different towns in that county to pay over taxes at stated times," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Stanford
Bradley	Edwards	Hubbard	Parker	Thayer

Campbell  
CauldwellFolger  
GenetKennedy  
Morris

Pierce

Van Petten

18

## FOR THE NEGATIVE.

Chapman

Crowley

Humphrey

8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act providing for the payment of certain taxes and assessments upon property of railroad companies, situated in the Cattaraugus and Allegany Reservations, to the county judge of Cattaraugus county, for educational purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks

Creamer

Genet

Kennedy

Parker

Campbell

Crowley

Hale

Morgan

Pierce

Cauldwell

Edwards

Hubbard

Nichols

Stanford

Chapman

Folger

Humphrey

Nicks

Van Petten 20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Home Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks

Creamer

Genet

Morgan

Pierce

Beach

Crowley

Hale

Morris

Stanford

Bradley

Edwards

Hubbard

Nichols

Thayer

Cauldwell

Folger

Humphrey

Nicks

Van Petten

Chapman

21

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly returned the bill entitled "An act to provide for an additional supply of water in the city of Albany," with a message that they had passed the same, with the following amendment:

Add to section 8 the following: "within twenty days after the confirmation of the report of the three persons appointed as aforesaid, either party may appeal by notice in writing to the other to the Supreme Court, in the third district, at any general term, from said report. On the hearing of such appeal, the court may, in its discretion, direct a second estimate and report to be made by the same person, or it may appoint for that purpose three other disinterested persons. If the amount of compensation to be made by the commissioners is increased by the second estimate and report, the difference shall be paid by the commissioners to the person or persons entitled to the same, when directed as aforesaid, and if the amount is diminished, the difference shall be refunded to the mayor, aldermen and commonalty of the city of Albany, by the person or persons to whom the same has been paid, and judgment therefor may be rendered by the court on the filing of the record, estimate and report against the person or persons liable to pay the same. Such appeal shall not affect the possession by the mayor, aldermen and commonalty of the city of Albany, of the property acquired as



aforesaid, nor shall it suspend or delay the prosecution of the work authorized by this act."

Mr. Banks moved to concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Pierce
Beach	Crowley	Humphrey	Nichols	Stanford
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Folger	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Parker, from the committee on railroads, to which was recommitted the bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicville to intersect the Glen's Falls railroad," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rule was suspended and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale moved that the bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh railroad," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Bradley moved that the bill entitled "An act to authorize additional facilities for the interment of the pauper dead in the city of New York," be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Edwards moved that the bill entitled "An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, Queens county,'" be considered in the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county.'"

"An act to authorize additional facilities for the interment of the pauper dead in the city of New York."

"An act to aid in the construction of the Whitehall and Plattsburgh railroad."

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Creamer, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Creamer, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the city of Ogdensburgh."

"An act in relation to the Normal School at Cortland, and confirming the action of the village trustees in reference thereto."

"An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, George G. Breed, Edmund Merry and Daniel Hubbard."

After some time spent therein, the President resumed the chair, and Mr. Humphrey, from said committee, reported progress on the two first named bills, and asked leave to sit again.

Mr. Parker moved that the first entitled bill be recommitted to the committee on municipal affairs, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, on the second entitled bill, and it was decided in the affirmative.

Mr. Humphrey, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed April 22, 1867."

"An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866."

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

After some time spent therein, the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Kennedy, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to the election of directors of corporations, and to prevent their dissolution."

Assembly, "An act to amend an act entitled 'An act to incorporate the Turnverein of the city of Brooklyn, eastern district,' passed April 16th, 1858."

"An act to incorporate the Clinton Savings Bank in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Graham, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Graham, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Genet, the Senate took a recess until 7½ o'clock p. m.

### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the electors of the towns of Oyster Bay and North Hempstead, Queens county, to raise money by tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Young Men's Father Matthew United Benevolent Total Abstinence Benefit Society, branch No. 1, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate the Eleventh Ward Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Father Matthew Total Abstinence Benefit Society No. 1, of the village of Tuckahoe, in the town of Eastchester, Westchester county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to incorporate Empire Engine and Eagle Hose Company No. 4, of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the town of Wilna, in the county of Jefferson, the town of Diana, in the county of Lewis, and the town of Edwards, in the county of St. Lawrence, to issue bonds and subscribe and take for said towns, capital stock in the Black River and St. Lawrence Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to direct the employment of a stenographer for the county court and court of sessions, in and for the

county of Kings, and the surrogate's court of said county,' passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Jamestown Driving Park Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Saint Bridget's Roman Catholic Total Abstinence Benefit Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to regulate the expenditures for poor purposes in Seneca county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend chapter 578 of the Laws of 1853, passed July 19th. 1853, relative to the jury districts of Steuben county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to establish the jail liberties of the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the charter of the National Travelers' Insurance Company, and also to amend an act entitled 'An act to authorize the National Travelers' Insurance Company to effect insurance upon the lives of individuals,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to repeal chapter 958 of the Laws of 1867, entitled 'An act to amend chapter 255 of the Laws of 1857, entitled 'An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Ossining,' passed April 6, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled as follows:

"An act to provide for an additional supply of water in the city of Albany."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to amend an act entitled 'An act to incorporate the General Theological Seminary of the Protestant Episcopal Church, in the United States,' passed April 5, A. D. 1822."

*Ordered*, That the Clerk deliver said bill to the Governor.

The President announced the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Beach, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made the special order for Thursday morning, after the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend chapter 286 of Laws of 1863, entitled 'An act for the better support of the poor in the city of Poughkeepsie, in the county of Dutchess,' passed April 29, 1863."

"An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849."

"An act to enable the Clifton Iron Company to transport passengers, and for other purposes."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and for other purposes."

"An act to amend an act entitled 'An act to incorporate the Dutchess County Mutual Insurance Company,' passed April 12th, 1836, and an act to 'continue and extend the same,' passed April 9th, 1855."

"An act providing for relief against illegal taxation in the county of Monroe and city of Rochester, and confirming the acts of the board of

supervisors of Monroe county, and the common council of Rochester, in respect thereto."

After some time spent therein, the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the first named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

On motion of Mr. Norton, the Senate adjourned.

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### WEDNESDAY, MARCH 18, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Cauldwell presented a petition of Townsend Young and 300 other citizens of the town of Ossining, for the repeal of chapter 958 of the Laws of 1867, entitled "An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Ossining," which was read and referred to the committee on roads and bridges.

Mr. Folger presented a petition of the N. Y. Juvenile Guardian Society, for State aid, which was read and referred to the committee on finance.

Mrs. Pierce presented a petition of C. F. Estee, Secretary of the Greenpoint and Williamsburgh railroad, to have said road consolidated with the Nassau railroad, Brooklyn, which was read and referred to the committee on railroads.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15th, 1847; as amended by acts passed March 12th, 1860; and again by acts passed March 14th, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the petition of the International Dock Company, for an act of incorporation, reported by bill entitled "An act to incorporate the International Dry Dock Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to legalize the election of constable in the village of Batavia, in the county of Genesee," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to revise the charter of the city of Auburn," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the city of Ogdens-

burgh," with power to report complete, reported the same complete, with amendments.

Mr. Parker moved to recommit said bill to the committee, with instructions to so amend the same as to provide for one supervisor for the city of Ogdensburgh.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Chapman	Genet	Morris	Tweed	
Campbell	Creamer	Graham	Parker	Van Petten	10

FOR THE NEGATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Folger	Kennedy	Nicks	Stanford	
Cauldwell	Hale	Morgan	Palmer	Thayer	
Crowley	Hubbard				17

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered,* That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to aid in the construction of the Whitehall and Plattsburgh railroad."

"An act to authorize additional facilities for the interment of the pauper dead in the city of New York."

"An act to incorporate the Clinton Savings Bank in the city of New York."

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

"An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866."

"An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, George G. Breed, Edmund Merry and Daniel Hubbard."

"An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York."

"An act to authorize the towns of Arcade and Java, in the county of Wyoming, to borrow money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located for the Attica and Allegany Valley railroad."

"An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849."

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to repeal chapter 400 of the Laws of 1867, entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Wood Lawn Cemetery in the town of Yonkers, to a point at or near the village of White Plains,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers, to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865," reported in favor of the

passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act amending acts relating to highway labor on the turnpike road of the Schoharie Kill Bridge Company, and commutation therefor, passed April 17, 1851, April 14, 1859, and April 18, 1862; and also to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge in the town of Yonkers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Ursuline Convent," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Security Savings Bank of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to change the name of the New York Ladies' Educational Union," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act further to amend the charter of the Church Charity Foundation of the county of Kings," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Deaconess Institution of the Evangelical Lutheran Church," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act relative to changing the name of a society from the 'Benevolent Dramatic and Mu-



sical Association,' to an 'Asylum for Aged and Infirm Hebrews,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate 'The Sixth Avenue Savings Bank of the city of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of the Vulcan Iron Works for relief for damages sustained by locomotive falling through canal bridge, reported in writing, and adversely thereto, and recommend the adoption of the following resolution:

*Resolved*, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

(See Doc. No. 60.)

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Wm. Marsh," reported in writing, and in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

(See Doc. No. 62.)

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to create a board of trustees for the town of West Farms, in the county of Westchester, and to define their powers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to regulate the expenditures for poor purposes in Seneca county," reported in favor of the passage of the same.

Mr. Folger moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to establish the jail liberties of the county of Queens," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the extension of the time for the collection of taxes in the towns of Middletown and Southfield, in the county of Richmond," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the electors of the towns of Oyster Bay and North Hempstead, Queens county, to raise money by tax," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and

counties, to which was referred the Assembly bill entitled "An act to provide for the building of a town house in the town of Minden, Montgomery county, to be used for a town hall, temporary jail, and engine house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to facilitate the construction of the West Shore railroad, and to authorize cities, villages and towns to subscribe to the capital stock thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Middletown, Unionville and Water Gap railroad," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to revise, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company," reported the same to the Senate, with amendments, for its consideration, also in writing, and said bill was committed to the committee of the whole.

(See Doc. No. 57.)

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of certain ditches in the town of Minden, Montgomery county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of a farm bridge over Rocky Rift feeder, for the benefit of John W. Hawn, in the town of Minden, in the county of Montgomery," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the Assembly bill entitled "An act to amend the charter of the National Travelers' Insurance Company, and also to amend an act entitled 'An act to authorize the National Travelers' Insurance Company to effect insurance upon the lives of individuals,' passed April 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Charlotte Dalton for relief, reported by bill entitled "An act for the relief of Charlotte Dalton, widow" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to drain lands in the town of Wallkill," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act requiring the clerk of the county of Onondaga, to cause copies of certain maps to be made and filed in his office," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Pullman Pacific Car Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Thomas Jackson, Robert Vose and William Vose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act allowing the continued use of co-partnership names in certain cases,' passed April 17, 1854," reported that they have made some amendments thereto, and amended the title so as to read "An act in relation to partnerships, and the use by new partnerships of the names of former partnerships," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Protectives No. 1, of the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Jamestown Driving Park Association," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to enable the First Free Methodist Church of the city of Syracuse, to elect trustees," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer moved that the committee on charitable and religious societies be discharged from the further consideration of the petition of the Ocean Rock Division of Sons of Temperance of Louisville, for an act of incorporation, and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the construction of an iron bridge over the State canal, upon Forman street, in the village of Cazenovia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the supervisor and justices of the peace of the town of Yonkers, in the county of Westchester, to convey certain real estate in the town of Yonkers, to the Yonkers Hospital Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend section 4 of chapter 216 of Laws of 1867, entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act for the incorporation of the Skaneateles Railroad Company, and to authorize the same to construct and operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April 17, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend section 1 of chapter 761 of the Laws of 1866, entitled 'An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks,' passed April 23, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to establish a capitol police district, and to provide for the government thereof,' passed April 22, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Adeline Mullany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to organize and establish a police for the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the 'Safe Deposit Company,' of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn,' passed May 12, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the city of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the villages of Medina and Albion, and appropriating money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the bill entitled "An act in relation to Wall-

kill Valley Railroad Company," with a message that they had passed the same with the following amendments:

Strike out the second section of engrossed bill, and insert in lieu thereof the following:

"§ 2. The acts of the commissioners in issuing the bonds of the second election district of the town of Montgomery, in Orange county, and of the towns of Gardner and Shawangunk, in Ulster county, in aid of the Wallkill Valley railroad, are hereby ratified and confirmed."

Change section 2 to section 3.

Amend the title so as to read "An act in relation to the Wallkill Valley railroad, and the town bonds issued in aid of its construction."

Mr. Graham moved that the Senate concur.

Mr. Beach moved to lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Bradley gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Marsh Land Improvement Company.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Soldiers' Business Messenger and Dispatch Company,' passed April 15, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Newburgh to lay out and open certain streets in said city through lands of the Big Rock Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act providing for the registry of births, deaths and marriages,' passed April 28, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend chapter 173 of the Laws of 1867, passed March 28, 1867, relative to the building of a town hall in Jamaica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to amend the Metropolitan Police law, concerning the Police Life Insurance fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend section 1, title 3, part 2, chapter 8, Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend section 391 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Oswego Bridge Company,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to authorize the towns of Arcade and Java, in the county of Wyoming, to borrow money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located for the Attica and Allegany Valley railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce	
Bradley	Creamer	Hubbard	Nichols	Stanford	
Campbell	Edwards	Humphrey	Norton	Tweed	
Cauldwell	Genet	Kennedy	Parker	Van Petten	20

## FOR THE NEGATIVE.

Crowley	Folger	Murphy	Nicks	4
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York," having been announced for a third reading,

On motion of Mr. Folger and by unanimous consent, said bill was amended as follows:

In sec. 1, line 44, reference being had to printed bill, after the word "is" insert the words "now authorized to be."

In line 45, after the word "city" insert the words "not exceeding eight cents."

Also, in line 11, after the word "use" insert the words "by animal power."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Parker	
Bradley	Edwards	Hubbard	Morris	Stanford	
Campbell	Genet	Humphrey	Nichols	Tweed	
Cauldwell	Graham	Kennedy	Norton	Van Petten	20

## FOR THE NEGATIVE.

Crowley	Folger
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 565, Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company,'" having been announced for a third reading,

On motion of Mr. Nichols and by unanimous consent, said bill was amended as follows:

Section 1, line 21, reference being had to printed bill, after the word "along" insert the words "Eleventh avenue and."

In sec. 4, strike out all after the word "authorized" in line 8, down to and including the word "law" in the 13th line.

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nichols	Thayer	
Campbell	Edwards	Kennedy	Nicks	Tweed	
Cauldwell	Graham	Morgan	Norton	Van Petten	
Chapman	Hubbard	Morris			18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize additional facilities for the interment of the pauper dead in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker	
Beach	Crowley	Humphrey	Nichols	Pierce	
Campbell	Edwards	Kennedy	Nicks	Stanford	
Cauldwell	Graham	Morgan	Norton	Tweed	
Chapman	Hale				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, Geo. G. Breed, Edmund Merry and Daniel Hubbard," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Parker	
Campbell	Hale	Kennedy	Nichols	Thayer	10

FOR THE NEGATIVE.

Beach	Chapman	Folger	Nicks	Stanford	
Bradley	Creamer	Graham	Norton	Tweed	
Cauldwell	Crowley	Morris	Pierce		14

Mr. Kennedy moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn,' passed April 22, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Kennedy	Norton	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Graham	Morris		

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Graham			

22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Parker	Tweed
Creamer	Hale			

22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Turnverein of the city of Brooklyn, eastern district,' passed April 16, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morgan	Parker	
Bradley	Creamer	Hale	Morris	Pierce	
Campbell	Crowley	Humphrey	Nichols	Thayer	
Cauldwell	Genet	Kennedy	Norton	Tweed	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Ithaca Water-works Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morris	Parker	
Bradley	Edwards	Humphrey	Nichols	Pierce	
Campbell	Genet	Kennedy	Nicks	Thayer	
Cauldwell	Graham	Morgan	Norton	Tweed	21
Chapman					

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Clinton Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nichols	Stanford	
Cauldwell	Graham	Morgan	Palmer	Thayer	
Chapman	Hale	Morris	Pierce	Tweed	
Creamer	Humphrey				17

## FOR THE NEGATIVE.

Bradley	Parker	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 286 of Laws of 1863, entitled 'An act for the better support of the poor in the city of Poughkeepsie, in the county of Dutchess,' passed April 29, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Pierce	
Campbell	Edwards	Morgan	Norton	Stanford	
Cauldwell	Hale	Morris	Palmer	Thayer	
Chapman	Humphrey	Nichols	Parker	Tweed	
Creamer					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nicks	Parker
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Nichols		

18

## FOR THE NEGATIVE.

Banks 1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Norton
Beach	Crowley	Hubbard	Morris	Parker
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Graham	Kennedy	Nicks	Tweed
Chapman				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach moved to take from the table the motion to concur in the amendments of the Assembly to the bill entitled "An act in relation to the Wallkill Valley Railroad Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Stanford
Beach	Edwards	Humphrey	Parker	Thayer
Bradley	Genet	Kennedy	Pierce	Tweed
Cauldwell	Graham			

17

## FOR THE NEGATIVE.

Campbell	Folger	Morris	Nichols	Nicks
Chapman	Morgan	Murphy		

8

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to authorize the Utica and Waterville Railroad Company to alter its name," with a message that they had passed the same, with the following amendment:

Strike out all after the word "belong" in line 3, section 2 of engrossed

bill, and insert the following: "to it under its present name, and all the acts and proceedings of the towns along the route of said road in preparing for and in taking stock and issuing bonds in aid for the construction thereof, shall be as valid and effectual as if the same had been done for said company under the name of the Utica, Clinton and Binghamton Railroad Company. But nothing in this act contained shall have the effect to render valid and effectual any of the acts or proceedings of the said towns had or taken before the passage of this act, and which would not have been valid or effectual if this act had not been passed, nor shall such acts or proceedings be rendered invalid by reason of anything herein contained, if the same would have been valid, without the passage of this act; and no action already commenced touching the taking stock or issuing bonds in aid of the construction of such road, shall abate in consequence of the change of name effected by this act, but the same may be construed in favor of or against said corporation by its present name, or by the name conferred upon it by this act."

Mr. Campbell moved to concur in said amendment.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Parker	Twced
Chapman	Humphrey	Nichols	Pierce	Van Petten

20

FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 23, 1864, and the several acts amending the same," with a message that they had passed the same, with the following amendment:

SEC. 3. Section seventy-three of said act as amended July twenty-sixth, one thousand eight hundred and sixty-six, and June tenth, one thousand eight hundred and sixty-seven, is hereby amended to read as follows: "The said board are hereby authorized, whenever they shall deem proper, to erect or cause to be erected a bridge or causeway over and across Cromwell's creek, in said town, at such point as they shall deem best, and of such material as they shall determine, the cost of such bridge and causeway shall not exceed the sum of ten thousand dollars. Such bridge and causeway shall be built by contract. The said board shall cause specifications of the work to be done to be made and filed with the clerk to said board. They shall then cause a notice to be published in a newspaper published in said town, once in each week for three weeks successively, stating the filing of such specifications and the time and place when and where such board will meet to receive sealed proposals for constructing such bridge and causeway. At the time and place stated in such notice or at such time as the said board shall adjourn to for that purpose, such sealed proposals as shall be presented shall be publicly opened by the president of said board. The said board shall thereupon determine which is the most favorable proposal, and may then enter into a contract for building such bridge or cause-

way in accordance with such specifications and proposal, with any person whose proposal shall be so accepted, who shall furnish satisfactory security to said board for the faithful performance of said work."

§ 4. Section seventy-four of said act, as amended July twenty-sixth, eighteen hundred and sixty-six, and June tenth, eighteen hundred and sixty-seven, is hereby amended to read as follows: "The said board shall have power to borrow upon the faith and credit of said town a sum of money sufficient to build such bridge or causeway, not exceeding ten thousand dollars, and for that purpose they shall have power to issue bonds in their corporate name and under their corporate seal, signed by the president and clerk and countersigned by their treasurer. Such bonds shall bear interest at the rate of seven per cent per annum, payable semi-annually, and shall be issued in such amounts as the said board shall determine, but not less than one hundred dollars, and such bonds shall not be negotiable by said board at less than their par value. Such bonds shall be made payable in annual instalments of one thousand dollars yearly. It shall be the duty of said board to provide for the payment of such bonds so to be issued, by levying a tax upon the taxable property of said town, from time to time, sufficient to pay the said bonds and the interest thereon as they shall mature. The moneys so to be raised by tax shall be in addition to all other moneys which said board are authorised to raise. The taxes so to be levied shall be levied and collected in the same manner that other taxes are levied and collected in said town."

§ 5. The said board of trustees are hereby authorized and empowered to extend Ella street, in said town, over and across Cromwell creek to the Central Park avenue.

Mr. Cauldwell moved to concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Creamer	Humphrey	Nichols	Pierce
Bradley	Edwards	Kennedy	Nicks	Tweed
Campbell	Genet	Morgan	Norton	Van Petten
Cauldwell	Graham	Morris	Palmer	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Kennedy moved to take from the table the motion to reconsider the vote had upon the third reading of the bill entitled "An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, George G. Breed, Edmund Merry and Daniel Hubbard."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Thayer
Cauldwell	Genet	Morgan	Norton	Tweed
Chapman	Graham	Murphy	Palmer	Van Petten
Creamer	Hubbard	Nichols	Pierce	19

## FOR THE NEGATIVE.

Bradley

1

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nicks	Pierce	
Cauldwell	Genet	Morgan	Norton	Thayer	
Chapman	Graham	Murphy	Palmer	Tweed	
Creamer	Hubbard	Nichols	Parker	Van Patten	20

## FOR THE NEGATIVE.

Bradley

Humphrey

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hubbard moved that the Assembly bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the trustees of the McDonough Village Union Cemetery Association to construct certain avenues in their grounds, and repealing chapter 412 of the Laws of 1865."

"An act to authorize the building of a hydraulic chute for the transportation of lumber from the head waters of Trout brook to Beaverkill river, in the town of Hancock, Delaware county, New York."

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define their powers,' passed April 22, 1864; and the several acts amending the same."

"An act to authorize the Whitehall and Plattsburgh Railroad Company to construct its road upon and across certain bays and inlets."

*Ordered*, That the Clerk deliver said bills to the Governor.

On motion of Mr. Genet, the Senate adjourned.

THURSDAY, MARCH 19, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Campbell presented six remonstrances against incorporating Rome as a city, which were read and referred to the committee on municipal affairs.

Mr. Folger presented a petition for a bridge over Seneca outlet, at the foot of Seneca lake, which was read and referred to the committee on canals.

Mr. Palmer presented a petition of citizens of Dutchess county, for an amendment of the game laws in relation to woodcock, which was read and referred to the committee on the judiciary.

Mr. Edwards presented a remonstrance of citizens of Greenport, in the county of Suffolk, against a village charter, which was read and referred to the committee on municipal affairs.

Mr. Morgan presented a memorial of citizens of Rochester, in favor of speedy repair and early opening of the canals, which was read and referred to the committee on canals.

Mr. Genet presented a communication of the board of commissioners of the Central Park, relative to pier and bulkhead lines and the grades thereof from 55th street, in the North or Hudson river, to the Spuyten Duyvel creek, and on both sides of the Spuyten Duyvel creek and the Harlem river, to the line of the Third avenue, which was read and referred to the committee on municipal affairs.

Mr. Mattoon presented a petition of citizens of Fulton, Oswego county, for the removal of an old cemetery, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Industrial Savings Bank of Tarrytown, Westchester county," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the German Savings Bank of the town of Morrisania, Westchester county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Germania Savings Bank, Kings county; passed April 19, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act for the construction of an arcade underground railroad in the city of New York," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to incorporate the Arcade Underground Railway Company, in the city of New York, and to provide for the construction of the said railway," and as amended, recommend the same to the Senate for its consideration; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal an act entitled 'An act providing for the registry of births, deaths and marriages,' passed April 28, 1847," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses, and justices' courts, and

for other purposes,' passed April 20, 1866," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act for the more effectual prevention of incendiary fires, and for the detention and arrest of offenders," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal the 'Act for the registration of births, marriages and deaths,' passed April 28th, 1847," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to enable foreign corporations incorporated under the laws of any of the several States, to hold lands within the State of New York," reported adversely thereto.

Mr. Pierce moved to lay the question of agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of citizens of Syracuse, for the establishment of a recorder's court; reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the memorial and resolution in relation to surrogates' fees; reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the memorialists be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act concerning certain investments," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad."

"An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburg,' passed April 13, 1857, and for other purposes."

"An act to amend an act entitled 'An act to incorporate the Dutchess County Mutual Insurance Company,' passed April 12th, 1836, and an act to 'continue and extend the same,' passed April 9th, 1855."

"An act to enable the Clifton Iron Company to transport passengers, and for other purposes."

"An act providing for relief against illegal taxation in the county of Monroe and city of Rochester, and confirming the acts of the board of supervisors of Monroe county, and the common council of Rochester, in respect thereto."

Also as correctly re-engrossed:

"An act to amend an act entitled 'An act to create a board of trustees for the town of Morrisania, in the county of Westchester, and to define

their powers,' passed April 22, 1864, and the several acts amending the same."

"An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York."

"An act in relation to Wallkill Valley railroad, and the town bonds issued in aid of its construction."

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Rondout Savings Bank," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to revive the charter of the Ithaca Savings Bank," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to amend section 8 of chapter 463 of Laws of 1853, in relation to corporations in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the city of Syracuse to make a loan to the Syracuse Northern Railroad Company," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize the city of Syracuse to loan its credit to the Syracuse Northern Railroad Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better protection of persons letting or hiring out personal property," reported that they have made some amendments thereto, and amended the title by inserting after the word "letting" the word "loaning," and by striking out the words "personal property" and inserting the word "chattels," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the villages of Medina and Albion, and appropriating money therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed February 17, 1857; and the acts amendatory thereof, passed April 2, 1863," which was read the first



time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the act entitled 'An act for a free bridge over the Mohawk river,' passed April 6, 1859; and an act supplementary thereto, passed April 8, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to establish an Eighth ward in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to a State ditch in the towns of Mentz and Montezuma, Cayuga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to regulate, grade and pave Graham avenue, Van Cott avenue and Eckford street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Sacandaga Boom Company, and to authorize said company to erect piers and construct booms across the Sacandaga river, in the town of Northampton, county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act directing certain moneys raised by tax for the improvement of the Oneida Lake canal, under chapter 934 of the Laws of 1867, to be paid into the State treasury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act giving permission to the United States to remove a portion of the public work known as the 'Erie Basin Breakwater,' in or near Buffalo harbor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the official acts of certain town officers in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the purchase of a town hall, for the town of West Farms, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837; and the several acts amendatory thereof,' passed March 20, 1857,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate Excelsior Engine Company No. 3, of the village of Saratoga Springs, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the East Clarkson Cemetery," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide for the drainage of the lowlands in the south part of the town of Pendleton, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to make the town of Providence a part of the first school commissioner's district of Saratoga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to incorporate the Mechanics' and Traders' Savings Institution,' passed April 16, 1852, and an act to amend the same, passed March 19, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the village of Canastota, and the towns of Cazenovia and Fenner, in the county of Madison, to issue bonds and take stock in the Cazenovia and Canastota Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to regulate the sale of coal in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the board of town auditors to cause a survey and map to be made of the town of Flushing, in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to vest in the board of supervisors of the county of Washington, power, by a vote of the majority of said board, to change the location of the court houses, jails and clerk's office in said county, and to provide for the erection of a new court house, jail and clerk's office therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confer jurisdiction on the Canal Board to open and adjust the final account for construction work on section 364 of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to William Moody, and authorizing said Moody to convey the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the city of Newburgh to issue bonds to aid in the construction of the Newburgh and Wallkill Valley railroad, the Newburgh and New York railroad, and the Newburgh and Kingston railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize savings banks to loan money upon or purchase town or village bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to provide for the erection of a new market building, on the site of the present Washington market, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to authorize the establishment of a nautical school in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company to transfer all its right, franchises and property to the Syracuse and Chenango Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize certain towns and villages in the counties of Onondaga, Madison and Chenango, to issue bonds and take stock in the Syracuse and Chenango Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to authorize the city of Syracuse to issue its bonds, to provide for the payment thereof, and to take stock in the Syracuse and Chenango Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Nicks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the relief of John Fitzpatrick, assignee of Bernardus Swartwout,' passed May 1, 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act in relation to the rate of wharfage of the public dock of David Whiting, in the village of Athens, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act relative to lands devised by John Tonnele, deceased, and for the relief of John L. Tonnele," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act relating to the old burying-ground in the village of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act approving lines and grades established under authority of chapter 697, Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to amend an act to provide for the appointment of a board of commissioners of public charities, and defining their duties and powers," passed May 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to aid the construction of the Southern Central railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act to enable the Clifton Iron Company to transport passengers, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE

Beach	Folger	Kennedy	Norton	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Murphy	Pierce	Van Petten
Creamer	Hubbard	Nicks	Stanford	Williams
Edwards				

21

FOR THE NEGATIVE.

Bradley	Crowley	Nichols
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3

Mr. Nichols moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Van Patten	Williams
Chapman	Edwards	Nichols		

8

FOR THE NEGATIVE.

Cauldwell	Graham	Mattoon	Norton	Stanford
Creamer	Hale	Morgan	Parker	Thayer
Folger	Hubbard	Nicks	Pierce	Tweed
Genet	Kennedy			

17

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to aid the construction of the Whitehall and Plattsburgh railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford
Beach	Genet	Kennedy	Norton	Thayer
Bradley	Graham	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morgan	Pierce	Van Petten
Chapman				

21

FOR THE NEGATIVE.

Crowley	Folger	Morris	Nicks	Parker
Edwards	Humphrey	Nichols		

8

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, with a message requesting their concurrence therein.

The bill entitled "An act providing for relief against illegal taxation in the county of Monroe and city of Rochester, and confirming the acts of the board of supervisors of Monroe county, and the common council of Rochester, in respect thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Pierce
Cauldwell	Genet	Kennedy	Nicks	Stanford
Chapman	Graham	Morgan	Norton	Tweed
Crowley	Hale	Murphy	Parker	Van Petten
Edwards	Hubbard			

22

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford
Beach	Edwards	Humphrey	Nicks	Thayer
Bradley	Folger	Kennedy	Norton	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Murphy	Pierce	Williams
Creamer				

26

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Dutchess County Mutual Insurance Company,' passed April 12, 1836, and an act to 'Continue and extend the same,' passed April 9, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Stanford
Cauldwell	Folger	Kennedy	Parker	Thayer
Chapman	Graham	Morgan	Palmer	Tweed
Creamer	Hale	Nichols	Pierce	

19

## FOR THE NEGATIVE.

Humphrey

1

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Palmer	Thayer
Chapman	Hubbard	Morgan	Parker	Van Petten
Genet	Humphrey	Nichols	Stanford	Williams
Graham	Kennedy			

17

## FOR THE NEGATIVE.

Bradley	Creamer	Edwards	Nichols	Pierce
Cauldwell	Crowley	Folger	Norton	Tweed

10

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made the special order to-morrow, after the third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Creamer gave notice that he would, on some future day, ask leave to introduce a bill to provide for the appointment of an additional number of notaries public in the county of New York.

Mr. Banks offered the following resolution:

*Resolved*, That the petition of Thos. P. Richards and Hannah M. Wicker be taken from the files and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the National Travelers' Insurance Company, and also to amend an act entitled 'An act to authorize the National Travelers' Insurance Company to effect insurance upon the lives of individuals,' passed April 9, 1867," was recommitted to the committee on insurance, with power to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867."

"An act to amend an act entitled 'An act in relation to the theatres in the city of New York,' passed March 18, 1859, and to extend the same."

"An act to authorize the Mariposa Company to issue a first preferred stock."

After some time spent therein, the President resumed the chair, and Mr. Norton, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Norton, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Norton, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed offered the following resolution:

*Resolved*, That Senate bill No. 165, entitled "An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28, 1868," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Edwards moved that the bill entitled "An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county,'" be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Kennedy moved that the bill entitled "An act in relation to the Normal School at Cortland, and confirming the action of the village trustees in reference thereto," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28, 1868."

"An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county.'"

"An act in relation to the Normal School at Cortland, and confirming the action of the village trustees in reference thereto."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the extension of the time for the collection of taxes in the towns of Middletown and Southfield, in the county of Richmond," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Thayer
Beach	Edwards	Kennedy	Norton	Tweed
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams 20

By unanimous consent, the rule was suspended and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have passed the same, without amendment.

On motion of Mr. Nichols, the Senate adjourned.

FRIDAY, MARCH 20, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Leonard.

The journal of yesterday was read and approved.

Mr. Graham presented a petition of citizens of Orange county, relative to special terms of the Court of Appeals, to dismiss frivolous appeals, which was read and referred to the committee on the judiciary.

The President presented a memorial of F. W. J. Hunt, in favor of Assembly bill No. 297, relative to court of special sessions of the peace in the city of New York, which was read and referred to the committee on the judiciary.

Mr. Hubbard presented a petition of Henry R. Mygatt and others, of Chenango county, for an act to legalize the election of Horace L. Barnes as a justice of sessions in said city, which was read and referred to the committee on the judiciary.

Mr. Beach presented a remonstrance of inhabitants of Ulster and



Greene, against a ferry in the town of Catskill, which was read and referred to the committee on commerce and navigation.

Mr. Hubbard presented a remonstrance from citizens of Schoharie county, against toll-bridge at Canajoharie, which was read and referred to the committee on internal affairs of towns and counties.

Mr. O'Donnell presented a petition of citizens of Lewis county, for the removal of a canal bridge, which was read and referred to the committee on canals.

Mr. Thayer presented a memorial of John Crolus, D. D. Smith, and John S. Salisbury and others, against changing the name of the Reformed Protestant Dutch Church, which was read and referred to the committee on charitable and religious societies.

Mr. Banks presented a memorial of Herman Wendell, Gilbert Wemple and others, upon same subject, which was read and referred to the committee on charitable and religious societies.

Mr. Hale presented three memorials of John Wyckoff, P. N. Beekman and others, upon same subject, which were read and referred to the committee on charitable and religious societies.

Mr. O'Donnell presented a remonstrance of voters in New York city, against the repeal of the Metropolitan Excise law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Williams presented a remonstrance of citizens of Wayne county, against the game law, which was read and referred to the committee on the judiciary.

Mr. Morris presented a memorial of George W. Bull, relative to the committee on investigation of affairs of the Erie Railroad Company, which was read and referred to the select committee on that subject.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the select committee appointed to investigate the affairs of the Erie railway, be and they hereby are requested to hold their sessions in the Senate chamber, and with open doors.

Mr. Murphy moved to amend as follows:

"Or in some public room in the city of New York."

Mr. Morgan offered the following as a substitute:

"That the resolution appointing a committee to investigate the affairs of the Erie Railway Company is hereby rescinded."

Mr. Morris moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Stanford	
Beach	Creamer	Hubbard	Nichols	Tweed	
Cauldwell	Edwards	Mattoon	Pierce	Williams	16

#### FOR THE NEGATIVE.

Campbell	Graham	Kennedy	Nicks	Parkor	
Crowley	Hale	Morgan	O'Donnell	Thayer	
Folger	Humphrey	Murphy	Palmer	Van Petten	16

Mr. Creamer moved to postpone indefinitely the whole subject.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	Thayer	
Beach	Crowley	Hale	Nichols	Tweed	
Campbell	Edwards	Hubbard	Stanford	Williams	
Cauldwell					

## FOR THE NEGATIVE.

Folger Graham	Morgan Morris	Murphy Nicks	O'Donnell Palmer	Parker Van Petten	10
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Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Grocers', Tea Dealers', and Clerks' Early Closing Association, of the city of New York," reported adversely thereto, for the reason that the object can be attained under general laws, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Nassau Boat Club, of the city of New York," reported adversely thereto, for the reason that the object can be attained under general laws, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bills entitled "An act to incorporate the Union Foundry Company, of Troy," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend the charter of the Union Gold Mining Company, of Colorado," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Safe Deposit Company, of the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the drainage of the low lands in the south part of the town of Pendleton, in the county of Niagara," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the New York State Auxiliary Board of Trustees of the American Printing House and University for the Blind," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the several bills entitled as follows:

"An act to incorporate the Corcoran Irish Legion Association, in the city of New York."

"An act to incorporate the Bickur Cholin Benevolent Society, of the city of Newburgh."

"An act to incorporate the Union Canadian Association, of Plattsburgh."

"An act to incorporate the New York Citizen Marksmen Society."

"An act to incorporate the Jefferson Society, of the city of New York."

"An act to incorporate the Association of the United Sharpshooters, of New York."

Report that these bills are for the incorporation of societies for purposes within the scope of general laws now upon the statute book, and

that the object sought can be reached by the persons named in them as incorporators, proceeding under the provisions of those general laws; that the committee have suggested this to the promoters of them, but are met in most if not all the cases with the objection that the persons named in them are not citizens and so are not within the permission of the statutes referred to, which give the right to incorporate to citizens only.

Your committee have therefore concluded for the sake of disposing of the many bills of this kind which have no color for justification save in the objection above stated, to report a general bill which will allow persons not citizens to act under the general laws above referred to when they are actually domiciled in this State, and shall have filed in the Secretary of State's office the declaration required from an alien by the 15th section, first title, first chapter, second part of the Revised Statutes.

This declaration is to the effect that he is a resident of and intends always to reside in the United States, and that he has taken such incipient measures as the laws of the United States require, to enable him to obtain naturalization.

In the judgment of your committee, it is not too much to ask of persons seeking favors of the Legislature of the State, of the nature contemplated by the proposed bills, that they be actually domiciled in the State, and that they have an intention to become citizens of the United States.

If it be said that by such a law the right to hold a title to real estate is conferred upon persons not citizens, it is answered that so it would be if the special bills were passed into laws, while in the latter case there would not even be the restraint and safeguard of the requirement of actual domicil and of the filing of declaration of intention to become a citizen.

It is submitted that these requirements, while they are mild upon the postulants for legislative favor, do in a degree hedge about the policy of the State not to allow the lands in the State to be owned by those alien to its government.

Your committee do therefore report adversely upon the several bills, the titles of which have been given above, and do report a general bill entitled "An act amendatory of the act entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848; and of the acts amendatory thereof and supplementary thereto."

All of which is respectfully submitted.

Dated March 20, 1868.

CHAS. J. FOLGER, *Chairman*.

The general bill, reported by the committee, was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act for the removal of obstructions from the outlet of Cayuga lake and Seneca river," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the petition of citizens of Geneva, for a bridge over the outlet of Seneca lake, reported by bill entitled "An act to provide for an iron bridge over the artificial outlet of the Seneca lake," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Stanford, from a majority of the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the Canal

Department, and to abolish the Contracting Board," reported that they have made some amendments thereto, and amended the title so as to read "An act to repeal the act entitled 'An act for the letting of certain canal repairs by contract,' passed April 15th, 1854; also an act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14th, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted,'" and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Nichols, from the minority of said committee, stated his dissent from said report, which was ordered entered upon the journal.

Mr. Humphrey, from a majority of the committee on commerce and navigation, to which was referred the bill entitled "An act to amend the charter of the United States Warehouse Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the minority of said committee, stated his dissent from said report, which was ordered entered upon the journal.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the Metropolitan Police law, concerning the Police Life Insurance fund," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the village of Cambridge,' passed April 10, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the Saratoga Gas Light Company to raise money to enlarge and change its works by issuing bonds on preferred stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15th, 1837; and the several acts amendatory thereof,' passed March 20th, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate Excelsior Engine Company No. 3, of the village of Saratoga Springs, in the county of Saratoga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the Police and Fire Department of the city of Syracuse," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate Empire Engine, and Eagle Hose Company No. 4, of the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to provide for raising money by tax annually, in the county of New York, for the support of the county government and the corporation of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the petition of the Manhattan Railway Company, for an act to authorize them to construct an underground railway in the city of New York, reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the People's Railroad Company, and to authorize the construction and use of a railroad in certain streets and avenues in the city of New York, and to regulate the same," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the New York Underground Railway Company, and to authorize the said company to construct certain underground railways in the city of New York, and for other purposes," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a certain railway in the city of New York, to be known as the People's Metropolitan and Suburban railway," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Metropolitan Underground railway, in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the Mariposa Company to issue a first preferred stock."

"An act in relation to the Normal School at Cortland, and confirming the action of the village trustees in reference thereto."

"An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county.'"

"An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28, 1868."

Mr. Campbell, from the committee on railroads, to which was referred the petition taken from the files of the Senate for "An act to incorporate the Metropolitan Transit Railway Company," reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the subject of tram roads, reported by bill entitled "An act to extend the operation of chapter 448 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor, to the counties of Dutchess, Putnam, Westchester and Orange," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the town of Wilna, in the county of Jefferson, the town of Diana, in the county of Lewis, and the town of Edwards, in the county of St. Lawrence, to issue bonds and subscribe and take for said towns capital stock in the Black River and St. Lawrence Railway Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles Railroad Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for bridges across the Chenango and Susquehanna rivers, in the city of Binghamton," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the board of trade of the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the salaries of the members of the common council of the city of New York," reported in favor of the passage of the same, with amendments.

Mr. Crowley moved to disagree with the report of the committee, and that said bill be rejected.

Mr. Parker moved to lay said bill and report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *March 19, 1868.*

*Resolved*, That a respectful message be sent to the Senate asking that body to return to this House the Senate bill entitled "An act to authorize the Utica and Waterville Railroad Company to alter its name," for the purpose of amending the title of said bill.

By order.

C. W. ARMSTRONG, *Clerk.*

Mr. Folger moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to election districts in the town of Wallkill, Orange county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act relating to the old burying-ground in the village of Fulton, Oswego county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 578 of the Laws of 1853, passed July 19th, 1853, relative to the jury districts of Steuben county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the purchase of a town hall for the town of West Farms, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable the town of New Rochelle, in Westchester county, to raise money to build a town hall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the board of town auditors to cause a survey and map to be made of the town of Flushing, in Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend section 4 of chapter 216 of Laws of 1867, entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the supervisor and justices of the peace of the town of Yonkers, in the county of Westchester, to convey certain real estate in the town of Yonkers, to the Yonkers Hospital Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to renew the appropriation for the payment of certain bonds issued by the Comptroller for temporary loans, payable on demand," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to enable the treasurer of Delaware county, to make return of the non-resident taxes of the town of Colchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act to authorize the town of Rutland

to raise money by tax to build an iron bridge over Black river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties:

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed Jan. 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to aid the construction of the Lake Ontario Shore railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Newark,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act in relation to supplying the State Lunatic Asylum with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Palmer asked and obtained leave to introduce a bill entitled "An act to provide for the safe custody and care of dangerous insane criminals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act in relation to illegal and erroneous taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act authorizing trusts for the improvement of public and private cemeteries, and the preservation of monuments therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and continuation of the Grand Hotel Company of New York city,' passed March 22,



1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to open and improve Maspeth avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in aid of the purchase and maintenance of the City Orphan Home, of the New York Juvenile Guardian Society of the city of New York, and of the Industrial School of said Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate the Mount Pleasant Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to provide for the construction of a bridge over the Champlain canal, in the village of Mechanicsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a farm bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend the law of proceedings against the Grand Trunk Railway Company, of Canada, a foreign corporation, in courts of law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Middleburgh and Schoharie railroad, and to regulate the weight of rail and the fare on the same,' passed May 8, 1867," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the Mariposa Company to issue a first preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Hale	Morgan	O'Donnell	Stanford
Creamer	Humphrey	Morris	Palmer	Thayer
Edwards	Kennedy	Nichols	Parker	Williams
Folger	Mattoon	Nicks	Pierce	

19

## FOR THE NEGATIVE.

Beach	Bradley	Crowley	Tweed
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4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28th, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Nichols	Pierce
Cauldwell	Genet	Mattoon	Nicks	Thayer
Chapman	Graham	Morgan	Palmer	Tweed
Crowley	Hale	Morris	Parker	Van Petten
Edwards	Humphrey			

22

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, with a message requesting their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, Queens county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Pierce
Bradley	Genet	Mattoon	O'Donnell	Stanford

41

Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Morris	Parker	Van Petten
Creamer	Humphrey			

22

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, with a message requesting their concurrence therein.

The bill entitled "An act in relation to the Normal School at Cortland, and confirming the action of the village trustees in reference thereto," having been announced for a third reading,

Mr. Crowley moved to recommit said bill to the committee on literature, with instructions to strike out the sixth section thereof.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Graham	Humphrey	Palmer
Bradley	Edwards	Hale	O'Donnell	Stanford
Cauldwell	Folger			

13

FOR THE NEGATIVE.

Chapman	Kennedy	Morris	Parker	Van Petten
Creamer	Mattoon	Nichols	Pierce	Williams
Genet	Morgan	Nicks	Tweed	

14

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Genet	Morgan	Parker	Tweed
Chapman	Kennedy	Nichols	Pierce	Van Petten
Creamer	Mattoon	Nicks		

18

FOR THE NEGATIVE.

Beach	Folger	Humphrey	O'Donnell	Stanford
Bradley	Graham	Morris	Palmer	Thayer
Crowley	Hale			

12

Mr. Kennedy moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Stanford moved that said bill be made the special order this evening, at 7½ o'clock, and that a special session be held for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Bradley, from the committee on insurance, to which was referred

the Assembly bill entitled "An act to amend the charter of the National Travelers' Insurance Company, and also to amend an act entitled 'An act to authorize the National Travelers' Insurance Company to effect insurance upon the lives of individuals,' passed April 9, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce offered the following resolution:

*Resolved*, That each Senator name one bill to be placed on a preferred calendar of general orders; said bills to be considered in the order in which they stand on the general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Van Patten moved to recommit the Assembly bill entitled "An act relative to jail liberties in Queens county," to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley offered the following resolution:

*Resolved*, That the Honorable the Assembly be, and hereby is respectfully requested to forthwith transmit to the Senate for the use of the committee on municipal affairs of the Senate, a copy of the Tax Levies of the city and county of New York, for the year 1868, as transmitted to the Assembly this present session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

*Resolved*, That the petition and papers on the files of the Senate referring to the claim of Eli A. Bronson, be taken therefrom and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Nichols, the Senate took a recess until 7½ o'clock P. M.

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#### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867;' and to define the method in which the repairs of the canals shall be hereafter conducted."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported that they have substituted therefor the Assembly bill upon that subject, with amendments thereto, and amended the title thereof to read "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted," and as amended, recommend its passage.

Mr. Murphy renewed the amendment offered in committee of the whole, by substituting the following in lieu thereof:

"An act in relation to the Canal Department, and to abolish the Contracting Board."

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SEC. 1. The board known as the Contracting Board, consisting of the Canal Commissioners, the Auditor of the Canal Department and the State Engineer and Surveyor, is hereby abolished, and all laws and parts of laws, devolving any duties or conferring any powers upon said board, and all laws and parts of laws requiring or authorizing the making of contracts for the repairs of the completed sections of the canals of this State, are hereby repealed.

§ 2. The superintendent of repairs shall not receive or disburse any moneys for or in behalf of the State, in the payment for labor or materials, or any other matter, but shall prepare monthly estimates of the cost of ordinary and extraordinary repairs upon the respective sections, in such form as the Canal Board shall prescribe, and shall receive for these services such monthly compensation as the Canal Board shall determine. The Canal Board shall have power to prescribe the duties of superintendents of repairs, and generally to govern and control them in the performance of such duties.

§ 3. There shall be annually appointed by the commissioners of the canal fund, three paymasters, whose duty it shall be, under the direction of the commissioners of the canal fund, and such rules and regulations as they shall prescribe, to make all payments, advances and disbursements of moneys, for such ordinary and extraordinary repairs as shall be made or done by or under the direction of the said superintendents, and for all other expenditures for work done or materials furnished under such direction.

§ 4. The said paymasters shall receive such compensation for their services as the commissioners of the canal fund shall determine, together with such allowance for traveling expenses as said commissioners shall deem reasonable, and each of said paymasters, before entering upon the performance of the duties of his office, shall enter into a bond to the people of the State, with two or more sureties, to be approved by the commissioners of the canal fund, in the penalty of fifty thousand dollars, conditioned for the faithful performance of the duties of his office and the accounting for all moneys which shall come to his hands as such payment.

§ 5. The commissioners of the canal fund shall have power, by general rules, to prescribe the terms upon which, and the times at which advances shall be made of moneys from the treasury to said paymasters, for payment and disbursement under the provisions of this act, and to prescribe the times and manner of accounting for the same, and make all necessary rules and regulations for the payments and disbursements authorized to be made by them, the form of the vouchers and receipts to be taken therefor, and generally to assign to said paymasters their duties from time to time, and control and direct them in the performance thereof.

§ 6. The commissioners of the canal fund shall appoint a chief clerk and such other clerks as may be necessary. The chief clerk shall also be clerk of the Canal Board, and shall receive a compensation of two thousand five hundred dollars per annum, payable quarter-yearly, and may perform any and all of the duties of the Auditor of the Canal Depart-

ment in relation to the canals, as now provided by law, and the said office of Auditor of the Canal Department is hereby abolished.

§ 7. All books and papers pertaining to the duties of the commissioners of the canal fund and of the Canal Board shall be deposited in the Canal Department, and be safely and securely kept there. Copies of said books and papers, and transcripts from the minutes of the proceedings of the commissioners of the canal fund and of the Canal Board, certified by the Comptroller under his official seal, shall be evidence equally and in like manner as the original.

§ 8. The statement of the tolls collected upon the canals of the State during the season of navigation, required by law to be prepared and laid before the Legislature, and all reports and communications now required by law to be made to the Legislature by the Auditor of the Canal Department, shall be made by the commissioners of the canal fund.

§ 9. All warrants for the payment of money by the treasurer now required by law to be drawn by the Auditor, shall hereafter be drawn by the Comptroller; and all checks drawn by the Treasurer in payment of such warrants, all drafts for the transfer of canal fund moneys, and all receipts for canal moneys paid to the Treasurer, shall be countersigned by the Comptroller.

§ 10. The accounts of receipts and payments on account of the canals and the canal fund and debt shall be kept by the commissioners of the canal fund.

§ 11. All certificates of stock hereafter issued by or under the direction of the commissioners of the canal fund, and purporting to be issued from the Canal Department, shall be signed by the Comptroller, and sealed with his official seal, and all the duties and powers now vested by law in the Auditor of the Canal Department in relation to the stocks and debts of the State, and the canal funds and moneys, including the canal repair trust fund—the receipt, care, custody and payment or disbursement thereof—the audit of accounts and claims and the registry of boats are hereby devolved upon and vested in the Comptroller, who shall hereafter perform and exercise the same in the same manner and subject to the same limitations as the said Auditor can now do.

§ 12. This act shall take effect immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Nichols	Tweed	
Bradley	Hubbard	Murphy	Pierce		9

FOR THE NEGATIVE.

Chapman	Hale	Morgan	Parker	Van Petten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger	Mattoon	O'Donnell	Thayer		14

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Hale	Morgan	Parker	Van Petten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger	Mattoon	O'Donnell	Thayer		14

FOR THE NEGATIVE.

Banks	Creamer	Morris	Nichols	Tweed	
Bradley	Hubbard	Murphy	Pierce		9

*Ordered*, That said bill be read a third time.

Mr. Tweed moved that when the Senate adjourn to-morrow, it adjourn to meet on Monday evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act approving lines and grades established under authority of chapter 697 of Laws of 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Exempt Firemen's Association, of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer moved that the committee on banks be discharged from the further consideration of the Assembly bill entitled "An act to amend section 1 of chapter 761 of the Laws of 1866, entitled 'An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks,' passed April 23, 1866," and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendment of the Senate thereto:

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn.'"

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the Orleans County Monument Association, and to raise money by tax to erect a monument," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to amend an act entitled 'An act to found a Presbyterian Hospital in the city of New York,' passed February 28, 1868."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Humphrey, the Senate adjourned.

## SATURDAY, MARCH 21, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Father Taney.

The journal of yesterday was read and approved.

Mr. Chapman presented a petition for a bridge over the Susquehanna river at Binghamton, at Exchange street, which was read and referred to the committee on roads and bridges.

Mr. Williams presented a remonstrance of citizens of Wayne county, in regard to amendment of game laws, which allows fish to be taken by net in Sodus bay, which was read and referred to the committee on the judiciary.

Also, a petition of trustees of the Lockville Baptist Society, to change their name, which was read and referred to the committee on charitable and religious societies.

Mr. Hale, from the committee on claims, to which was referred the petition of John Edwards for relief, reported in writing, and by bill entitled "An act for the relief of John Edwards," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 64.)

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Northam Hydranic Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to establish a ferry across the Hudson river, in the town of Catskill," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley moved to take from the table the Assembly bill entitled "An act to regulate the expenditure for poor purposes in Seneca county."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Said bill was committed to the committee of the whole.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and a part of the city of Syracuse; and also in relation to a system of sewerage in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to amend the charter of the city of Syracuse," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings and the keeping and storage of combustible materials in the city of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.



Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to renew appropriation for the payment of certain bonds issued by the Comptroller for temporary loans payable on demand," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the petition of tax-payers of Steuben county, for the repeal of the law exempting members of the National Guard from taxation, reported by bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the 'Military Code of the State of New York,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to enable the treasurer of Delaware county, to make return of the non-resident taxes of the town of Colchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for the completion of the New York State Institution for the Blind, at Batavia," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bills entitled severally "An act to authorize the construction of a draw or swing-bridge over the Chenango canal, at the city of Binghamton, at the intersection with Henry street; also, "An act to authorize the construction of a draw or swing-bridge over the Chenango canal, at the city of Binghamton, at its intersection with Hawley street," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize the construction of swing-bridges over the Chenango canal, in the city of Binghamton, at its intersection with Henry and Hawley streets," and as amended recommend its passage; said bill was committed to the committee of the whole.

Mr. Humphrey moved that the committee on commerce and navigation be discharged from the further consideration of the remonstrance from inhabitants of Jefferson county, against altering the channel of Perch river, in Jefferson county, and that the same be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer moved to reconsider the vote agreeing to the report of the committee on the judiciary, adverse to the bill entitled "An act to incorporate the Grocers', Tea Dealers', and Clerks' Early Closing Association of the city of New York," and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was referred the

bill entitled "An act to provide for the organization of savings banks, for their more thorough supervision, and for a more safe and efficient administration of their affairs," reported that they have made some amendments thereto, and amended the title so as to read "An act to consolidate the several acts relating to savings banks, and to provide for a uniform administration of their affairs," and as amended, recommend its passage; said bill was committed to the committee of the whole.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend chapter 417 of the Laws of 1864, entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics, and to apply the provisions thereof to the estates of idiots, and persons of unsound mind,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act authorizing the construction of a free bridge over the Susquehanna river, at Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Brooklyn Eye and Ear Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to incorporate the Marsh Land Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act to amend the charter of the National Travelers' Insurance Company, and also to amend an act entitled 'An act to authorize the National Travelers' Insurance Company to effect insurance upon the lives of individuals,' passed April 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Nicks	Stanford
Bradley	Hale	Morris	O'Donnell	Thayer
Chapman	Humphrey	Murphy	Palmer	Tweed
Creamer	Kennedy	Nichols	Pierce	Williams
Crowley				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the electors of the

town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. O'Donnell moved that fifty copies of the bill entitled "An act to provide for taxing corporations and joint stock associations chartered or doing business under special or general laws," be printed for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Banks moved that the Assembly bill entitled "An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the fire department of the city of Albany," be recommitted to the committee on municipal affairs, retaining its place upon general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Murphy moved that the bill entitled "An act releasing the interest of the State in certain lands and premises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to authorize Lewis Runyon to establish and maintain a ferry across the Seneca lake, at Lodi Landing."

"An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia Railroad Company."

"An act releasing the interest of the State in certain lands and premises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same."

After some time spent therein, the President resumed the chair, and Mr. O'Donnell, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. O'Donnell, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the rebuilding of a bridge over the Oswego river, between the town of Lysander, in the county of Onondaga, and Schroepfel, in the county of Oswego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the laying out of Paca avenue, in the towns of New Lots and Flatland, in the county of Kings," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was

referred the bill entitled "An act authorizing the construction of a free bridge over the Susquehanna river, at Binghamton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, to be located in the city of Brooklyn,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to legalize the official acts of Martin R. Lefever, as trustee of school district No. 7, of the the towns of New Bremen and Croghan, Lewis county."

"An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank, in the village of Binghamton, Broome county, New York,' passed April 18, 1867."

"An act to authorize the transportation of passengers in the city of New York, by means of street railways to be constructed through certain streets and avenues therein."

After some time spent therein, the President resumed the chair, and Mr. Murphy, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Murphy, from the same committee, reported in favor of the passage of the two last named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Folger moved to reconsider the vote agreeing to the report of the committee on railroads, adverse to the petitions for the construction of a Metropolitan Transit railroad in the city of New York, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to impose taxes upon certain laws enacted by the Legislature," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was referred the bill entitled "An act to authorize the purchasing and applying disinfectants for use in prisons," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election district thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the town of Almond, Allegany county, to raise money by tax for the purpose of erecting an academy and town hall in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to enable the commissioners of highways of the town of Lowville, to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported progress on said bill and asked and obtained leave to sit again.

On motion of Mr. Crowley, the Senate adjourned.

### MONDAY, MARCH 23, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of Saturday was read and approved.

Mr. Cauldwell presented a petition of John Olmsted, and other citizens of Yonkers, that the directors of the Hudson and Harlem railroad be ineligible as directors of the New York Central, or Erie railroad, which was read and referred to the committee on railroads.

Mr. Campbell presented a remonstrance of 266 citizens of the Fourth ward, in Utica, protesting against any division of said ward, which was read and referred to the committee on municipal affairs.

Mr. Humphrey presented a petition of citizens of Allegany, for the passage of an act making directors of the Hudson River and New York Central railroad, ineligible to same office in the Erie railroad, which was read and referred to the committee on railroads.

Mr. Morgan presented a memorial of citizens of Western New York, asking the passage of a resolution asking Congress to pass a law pensioning surviving soldiers, and widows of soldiers of the war of 1812, which was read and referred to the committee on the militia.

Mr. Morgan presented a remonstrance of Seneca Indians, against the passage of Senate bill giving property rights of half-blood children, contrary to the usage and custom of the Seneca nation, which was read and referred to the committee on Indian affairs.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate to Public Exchange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the village of Cobleskill, Schoharie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Niagara Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the State Line Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act relative to incorporations for fishing purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to divide the Ninth ward, and to create two new wards in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act creating the office of 'Metropolitan Fire Marshal,' and prescribing its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 353 of the Laws of 1862, relative to the Ten Broeck Free Academy, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the resident trustees of Genoa Academy to sell, transfer and convey to the trustees of school district No. 6, of the town of Genoa, the grounds, buildings, library and school apparatus belonging to said academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend chapter 52 of the Laws of 1857, being an act entitled 'An act to incorporate the Fishkill Savings Institute,' passed February 25, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Schoharie and Schenectady Counties Farmers' Mutual Fire Insurance Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend an act entitled 'An act to incorporate the Clinton Liberal Institute,' passed April 29, 1834, by changing the method of electing its trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize certain towns in the counties of Schoharie, Albany, Greene, Delaware and Ulster, to issue bonds and take stock in and for the extension of the Schoharie Valley railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Port Morris Land and Improvement Company,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the construction of an iron bridge over the Chenango canal, in the village of Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act in relation to the Buffalo and Washington Railway Company, to obtain title to lands," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of the Wadsworth Normal and Training School, located in that village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to criminal abortions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Chautauqua to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town to borrow money to pay the existing indebtedness of said town for highway and bridge purposes, and to repair the highways and bridges therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act for the relief of Russell Martin, assignee of Wm. McArthur, contractor on repair section No. 3, of the Genesee Valley canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend section 13 of chapter 898 of the Laws of 1867, in relation to the preservation of fresh water fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to authorize Elizabeth Dickerman to file claim with Canal Appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Rondout Savings Bank," was recommitted to the committee on banks, with power to report complete.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the Dunkirk, Warren, and Pittsburgh Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank, in the village of Binghamton, Broome county, New York,' passed April 18, 1867."

"An act to authorize the transportation of passengers in the city of New York, by means of street railways, to be constructed through certain streets and avenues therein."

"An act releasing the interest of the State in certain lands and pre-

mises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same."

"An act to legalize the official acts of Martin R. Lefever, as trustee of school district No. 7, of the towns of New Bremen and Croghan, Lewis county."

"An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia Railroad Company."

"An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof."

The bill entitled "An act to legalize the official acts of Martin R. Lefever, as trustee of school district No. 7, of the towns of New Bremen and Croghan, Lewis county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	O'Donnell	Stanford	
Bradley	Folger	Morris	Palmer	Thayer	
Campbell	Genet	Nichols	Parker	Tweed	
Cauldwell	Hale	Nicks	Pierce	Williams	
Chapman					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank, in the village of Binghamton, Broome county, New York,' passed April 18, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Morris	Palmer	Stanford	
Bradley	Hale	Nichols	Parker	Van Petten	
Campbell	Humphrey	Nicks	Pierce	Williams	
Cauldwell	Morgan				17

## FOR THE NEGATIVE.

Banks	Edwards	Folger	Thayer	Tweed	5
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Stanford	
Beach	Crowley	Morgan	O'Donnell	Thayer	
Bradley	Edwards	Morris	Parker	Van Petten	
Campbell	Folger	Nichols	Pierce	Williams	
Cauldwell	Hale				23



*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Parker	Tweed	
Bradley	Edwards	Morris	Pierce	Van Petten	
Campbell	Genet	Nichols	Stanford	Williams	
Cauldwell	Hale	Palmer	Thayer		19

## FOR THE NEGATIVE.

Banks	Folger	Nicks			3
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the transportation of passengers in the city of New York, by means of street railways, to be constructed through certain streets and avenues therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Pierce	Tweed	
Beach	Genet	Morris	Stanford	Van Petten	
Cauldwell	Humphrey	Nichols	Thayer	Williams	16

## FOR THE NEGATIVE.

Bradley	Chapman	Folger	Nicks	Parker	
Campbell	Crowley	Hale			8

Mr. Genet moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act releasing the interest of the State in certain lands and premises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford	
Beach	Crowley	Humphrey	Nicks	Thayer	
Bradley	Edwards	Morgan	Parker	Tweed	
Campbell	Folger	Morris	Pierce	Van Petten	
Cauldwell	Genet				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hale, from the committee on claims, to which was referred the petition of Giles Shell and others, for relief for damages by destruction

of property by overflowing of Tonawanda creek, reported by bill entitled "An act for the relief of Giles Shell and others, owners of lands lying adjacent to the Tonawanda creek," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act to amend an act entitled 'An act for the relief of John Fitzpatrick, assignee of Bernardus Swartout,' passed May 1, 1865," reported that they have made some amendments thereto, and amended the title so as to read "An act to amend an act entitled 'An act for the relief of John Fitzpatrick, assignee of Bernardus Swartout, and to authorize a rehearing of his claim by the Canal Board,' and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Jeremiah Flood, for relief for injury done property, reported in writing, and adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

(See Doc. No. 63.)

Mr. Hale, from the committee on claims, to which was referred the petition of Eli A. Bronson, for relief for damages by removal of dock, reported in writing, and by bill entitled "An act for the relief of Eli A. Bronson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 65.)

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Binghamton and Port Dickinson Railroad Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on the militia, to which was referred the bill entitled "An act to amend the Military Code," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed moved that the Assembly bill entitled "An act to amend the certificate of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate 'The Hudson Highland Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension

bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

"An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State."

Assembly, "An act for the relief of William H. Van Dusen."

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Stanford, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church."

Assembly, "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers and persons furnishing materials toward the erection, altering or repairing buildings in the city of New York,' passed May 5, 1863."

"An act relative to writs of prohibition."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to repeal chapter 547 of the Laws of 1866, entitled 'An act to amend chapter 62 of the Laws of 1846, and other acts additional to the same,' passed April 13, 1866; and to amend section 2, of chapter 399 of the Laws of 1849, entitled 'An act to prevent fraud in the returns made to the Comptroller of sales at auction,' passed April 11, 1849."

"An act to authorize the 'Bloss Coal Mining and Railroad Company,' a corporation of the commonwealth of Pennsylvania, to hold real estate in this State to a limited amount, for the purposes of its business."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Rondout Savings Bank," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Beach and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Nichols	Parker	Tweed
Campbell	Hale	O'Donnell	Pierce	Van Petten
Cauldwell	Morgan	Palmer	Thayer	Williams
Chapman	Morris			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to extend the capital stock of the Owego Bridge Company,' passed April 16, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850,' passed March 19, 1866,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer moved that the committee on manufactures be discharged from the further consideration of the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," and that the same be referred to the committee on the judiciary.

Mr. Folger moved to amend by striking out "the judiciary" and inserting "agriculture."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Thayer, and it was decided in the affirmative.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The question being upon the motion to reconsider,

Mr. Folger moved to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

## TUESDAY, MARCH 24, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wentworth.

The journal of yesterday was read and approved.

Mr. O'Donnell presented remonstrances against the passage of Senate bill 164, authorizing the laying down of certain street railroads in New York, which were read and laid upon the table.

Mr. Stanford presented a petition of Lydia Ann Weaver, for a bridge over Champlain canal at Waterford, which was read and referred to the committee on canals.

Also two remonstrances from Canajoharie, against making toll-bridge between Canajoharie and Palatine, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend chapter 52 of the Laws of 1857, being an act entitled 'An act to incorporate the Fishkill Savings Institute,' passed February 25, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from a majority of the committee of the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed January 24, 1867,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the official acts of certain town officials in the county of Westchester," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Port Morris Land and Improvement Company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate, to Adeline Mullany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the preservation of public health and for draining overflowed lands adjoining Black Lake and its tributaries in the counties of St. Lawrence and Jefferson, and improving the hydraulic power of Ogdensburgh, and the repeal of chapter 730 of Laws of 1865,' amendatory of chapter 577 of Laws of 1864,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the People's Mutual Warehousing and Security Company," reported adversely thereto, having passed a general bill, which report was agreed to.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the formation of Loan, Guarantee and Warehousing Companies," reported in favor of the passage of the

same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Fire Proof Warehousing Company," reported adversely thereto, having reported a general bill, which report was agreed to.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

• Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the American Society and Warehousing Company," reported adversely thereto, having reported a general bill, which report was agreed to.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Brooklyn and New York Loan and Warehousing Company," reported adversely thereto, having reported a general bill, which report was agreed to.

Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State."

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to facilitate the conveyance of passengers and their baggage in the city of New York and Brooklyn, and to incorporate the Passengers' Transit Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of the Wadsworth Normal and Training School, located in that village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court, in the city of Oswego,' passed March 26, 1849; and the acts amendatory thereof,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the village of Hamilton, in the town of Hamilton, county of Madison, and to repeal its present charter," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Newark,'" reported in favor of the

passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the East River Tunnel Company, for the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Cobleskill, Schoharie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to regulate, grade and pave Graham avenue, Van Cott avenue, and Eckford street, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Greenport, Suffolk county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to confirm the election of village officers in the village of Churchville, to confirm the acts of such officers, and to amend the charter of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to change the boundaries of the village of Sloansville, Schoharie county, to enlarge the powers of the inhabitants thereof, amendatory of chapter 180 of Laws of 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to regulate the sale of coal in the city of New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to regulate the sale of coal," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State and to empower the Cornell Library to transfer certain things and rights to the Cornell University," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to incorporate the Coxsackie Savings Institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Campbell asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to

introduce a bill entitled "An act to enlarge the powers of the trustees of the village of Jamaica, and to provide for laying out, opening and making, or discontinuing streets or avenues or highways, and making other improvements in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the veterans of the 22d Regiment, 4th Brigade, 1st Division, National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act for the relief of St. Mary's Church, in the city of New York, to amend the act incorporating the same, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act amending the Revised Statutes in relation to the rights, powers and duties of administrators, with the will annexed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Morgan	Nicks	Stanford	
Beach	Edwards	Morris	O'Donnell	Thayer	
Campbell	Kennedy	Murphy	Parker	Van Petten	
Cauldwell	Mattoon	Nichols	Pierce		19

#### FOR THE NEGATIVE.

Folger	Humphrey	Williams	8
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of William H. Van Dusen," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Pierce	Tweed	
Beach	Edwards	Nicks	Stanford	Van Petten	
Campbell	Genet	Parker	Thayer	Williams	
Cauldwell	Morgan				17

#### FOR THE NEGATIVE.

Chapman-	Humphrey	Kennedy	Norton	4
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Mr. Folger moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.



Mr. Genet moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to authorize the transportation of passengers in the city of New York, by means of street railways, to be constructed through certain streets and avenues therein."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nichols	Stanford	
Beach	Hale	Morgan	Norton	Thayer	
Cauldwell	Humphrey	Morris	Palmer	Tweed	
Creamer	Kennedy	Murphy	Pierce	Van Petten	
Edwards					21

## FOR THE NEGATIVE.

Campbell	Chapman	Nicks			8
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Thayer	
Beach	Genet	Mattoon	Norton	Tweed	
Cauldwell	Hale	Morgan	Pierce	Van Petten	
Creamer	Humphrey	Morris	Stanford		19

## FOR THE NEGATIVE.

Campbell	Crowley	Folger	Nicks	Parker	
Chapman					6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hale moved to take from the table the motion to reconsider the vote upon the third reading of the Assembly bill entitled "An act for the relief of William H. Van Dusen."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Stanford	
Campbell	Folger	Mattoon	Nicks	Thayer	
Cauldwell	Genet	Morgan	Norton	Tweed	
Chapman	Hale	Morris	Pierce	Van Petten	
Creamer	Humphrey				22

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford	
Campbell	Folger	Morgan	Norton	Thayer	

Cauldwell	Hale	Morris	Palmer	Tweed	
Chapman	Humphrey	Murphy	Parker	Van Petten	
Creamer	Kennedy	Nichols	Pierce	Williams	25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Kennedy moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act in relation to the Normal School at Cortland, and conforming the action of the village trustees in reference thereto."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer	
Beach	Genet	Morgan	O'Donnell	Tweed	
Crowley	Hale	Morris	Parker	Van Petten	
Edwards	Kennedy	Nichols	Pierce	Williams	20

On motion of Mr. Kennedy and by unanimous consent, said bill was amended by striking out sections 4, 5 and 7.

Also, section 6 was amended by striking out the word "this" and inserting the words "the aforesaid."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Thayer	
Beach	Edwards	Kennedy	Parker	Tweed	
Campbell	Genet	Morgan	Pierce	Van Petten	
Cauldwell	Hale	Morris	Stanford	Williams	
Chapman					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morris moved to reconsider the vote agreeing to the report of the committee on railroads adverse to the bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh railroad."

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

Mr. Morris moved to recommit said bill to the committee on railroads.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to secure the payment of mechanics, laborers and persons furnishing materials toward the erection, altering or repairing buildings in the city of New York,' passed May 5, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Norton	Stanford
Beach	Chapman	Kennedy	O'Donnell	Tweed
Bradley	Edwards	Morris	Parker	Van Potten
Campbell	Hale	Nichols	Pierce	19

## FOR THE NEGATIVE.

Folger	Thayer	Williams	8
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867,' and to define the method in which the repairs of the canals shall be hereafter conducted," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford
Beach	Edwards	Mattoon	Norton	Thayer
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Genet	Morris	Palmer	Van Potten
Cauldwell	Hale	Murphy	Parker	Williams
Chapman	Humphrey	Nichols	Pierce	29

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to release to Catherine D. A. Wacker the title of this State, acquired by escheat, in and to certain land, and to confirm her title thereto," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to establish and define the boundaries of school district No. one, of the town of Wheatland, county of Monroe," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize Marcus N. Preston and Heman D. Fulton to sell and convey, as trustees, the church property of the first religious society of Borodino, in the county of Onondaga," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15, 1852," was recommitted to the committee on charitable and religious societies, with power to report complete.

Mr. O'Donnell offered the following preamble and resolution:

*Whereas*, The Senate, on the 10th day of February, passed the following resolution:

*Resolved*, That for the purpose of regulating taxation, the Comptroller be requested to transmit to the Senate, at as early a day as practicable, a statement giving in separate columns the name or title of all stock corporations in this State organized or doing business under special or general laws, the place where the principal business office of the company or corporation is situated, the amount of capital paid in, the present amount of capital stock, the amount of funded debt, the number of shares, the par value of shares, the amount of surplus funds not divided, the amount of any sinking fund, or other fund or funds, held or controlled, the average annual net earnings on capital for the past five years, the average annual percentage of such earnings to capital for the same period, and the amount at which the corporate property was assessed in 1867, for town, county and State purposes; with power under this resolution to propound questions to the officers of said corporations or to boards of supervisors or local officers, on any of the foregoing heads, and to require answers thereto, verified by affidavit, and in such form as he shall deem necessary to carry out the object of this resolution; and each corporation or company doing business under the laws of this State, are hereby required to report to the Comptroller by the first day of March, 1868, in accordance with the terms of this resolution.

*And whereas*, Certain corporations and joint stock associations have refused to answer the interrogatories proposed by the Comptroller; therefore,

*Resolved*, That the committee on finance have power to send for persons and papers to enforce answers to the following questions propounded by the Comptroller.

1. State the name of the corporation or association?
2. What is its place of principal business and office?
3. Where is its office and place for transacting its financial concerns?
4. What is the amount of its capital stock, as now authorized by law?
5. What amount of its capital stock has been paid in?
6. What is the number of shares of its capital stock, and what is their par value?
7. What is the actual value of the capital stock per share?
8. What is the amount of its funded debt?
9. What amount of surplus funds has the company on hand not divided?
10. What is the amount of its sinking fund, or other fund or funds held or controlled by it. State the amount, character and purpose of each special fund?
11. What was the net earnings of the company during the year 1867?
12. What was the average net earnings of the company for the past five years?
13. What was the average annual percentage of net earnings upon the capital of the company for the same period?
14. At what amount was the corporate property assessed in 1867, for town, county and State purposes, and what amount was assessed upon its real property, and what amount upon its personal property or franchise?
15. What was the gross amount of taxes paid by said company for the year 1867?

Mr. Genet moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Genet	Pierce	Tweed	5
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## FOR THE NEGATIVE.

Banks	Crowley	Mattoon	Nicks	Stanford	
Bradley	Edwards	Morgan	Norton	Thayer	
Campbell	Folger	Morris	O'Donnell	Van Petten	
Cauldwell	Humphrey	Murphy	Palmer	Williams	
Chapman	Kennedy	Nichols	Parker		24

Mr. Creamer moved to amend said resolution by adding as follows: "And the committee shall also inquire as to what counties in this State, if any, are assessed on their real estate for a less sum than one-third of the actual value, for the payment of State taxes."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Beach moved to amend, as follows: "That said investigation be conducted without expense to the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Stanford	
Beach	Crowley	Kennedy	Nicks	Thayer	
Bradley	Edwards	Morgan	Norton	Van Petten	
Campbell	Folger	Morris	O'Donnell	Williams	
Cauldwell	Hale	Murphy	Parker		24

## FOR THE NEGATIVE.

Tweed	1
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Mr. Parker called for the consideration of the concurrent resolution from the Assembly, in the words following:

IN ASSEMBLY, *March 4, 1868.*

*Resolved*, (if the Senate concur,) That the Clerk be directed to furnish to each member of the present House, and the Clerk, seventy-five copies of the State Manual for 1868, and to each officer and reporter, ten copies, provided, however, that the price shall not exceed one dollar per copy.

Mr. Beach moved to amend by inserting the words "the Senate."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved to amend by striking out "seventy."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nichols	Pierce	
Bradley	Crowley	Humphrey	Nicks	Stanford	
Campbell	Edwards	Morris	Norton	Tweed	
Cauldwell	Folger				17

## FOR THE NEGATIVE.

Beach	Kennedy	Morgan	Palmer	Thayer	
Creamer	Mattoon	O'Donnell	Parker	Van Petten	
Hale					11

Mr. Genet moved to strike out "five" and insert "fifty."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Norton	Thayer	
Cauldwell	Hale	Morris	Palmer	Van Petten	11
Creamer					

## FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Nicks	Stanford	
Bradley	Edwards	Morgan	Parker	Tweed	
Campbell	Folger	Nichols	Pierce	Williams	17
Chapman	Humphrey				

Mr. Parker moved to amend as follows: "that 2,000 copies be printed, to be equally divided among the Senate and Assembly."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Creamer moved to amend by striking out "five" and inserting "thirty."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Palmer	Williams	
Cauldwell	Hale	Morris	Thayer		9

## FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce	
Bradley	Folger	Morgan	Norton	Stanford	
Campbell	Genet	Murphy	O'Donnell	Tweed	
Chapman	Humphrey	Nichols	Parker	Van Petten	21
Crowley					

Mr. Nichols moved to amend by striking out "five" and inserting "one."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Nichols	Pierce	
Bradley	Crowley	Humphrey	Nicks	Stanford	
Campbell	Edwards	Kennedy	Parker	Van Petten	8
Chapman	Folger	Murphy			

## FOR THE NEGATIVE.

Beach	Mattoon	Norton	Palmer	Tweed	
Cauldwell	Morgan	O'Donnell	Thayer	Williams	12
Hale	Morris				

Mr. Parker moved to postpone the further consideration of the subject until Saturday, the 2d day of May next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattoon moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Kennedy	Morris	Thayer	Van Petten	
Edwards	Mattoon	O'Donnell	Tweed	Williams	18
Hale	Morgan	Palmer			

## FOR THE NEGATIVE.

Banks	Chapman	Folger	Nichols	Parker	
Bradley	Creamer	Genet	Nicks	Pierce	

Campbell	Crowley	Humphrey	Norton	Stanford	16
Cauldwell					

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Morgan	Palmer	Van Petten	
Campbell	Kennedy	Morris	Thayer	Williams	
Edwards	Mattoon	O'Donnell	Tweed		14

## FOR THE NEGATIVE.

Banks	Creamer	Genet	Nichols	Parker	
Bradley	Crowley	Humphrey	Nicks	Pierce	
Cauldwell	Folger	Murphy	Norton	Stanford	
Chapman					16

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the charter of the village of Newark," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Morgan offered the following resolution:

*Resolved*, That the Senate will hold evening sessions Tuesday, Wednesday and Thursday evenings of this week, commencing at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto," with a message that they had passed the same, with the following amendment:

Strike out all after the word "law" in engrossed bill, in the 24th line of section 2, in said section, being the words following:

"That the affidavits of the assessor provided for in the second section of chapter 398 of the Laws of 1866 of said act, when made in conformity therewith, shall be held and taken in all courts, and for all purposes, as presumptive evidence of the facts therein stated; but this act shall not affect any action already commenced, nor release said company from any liability now existing or incurred."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Pierce	
Beach	Creamer	Mattoon	O'Donnell	Stanford	
Bradley	Edwards	Murphy	Palmer	Tweed	
Campbell	Genet	Nichols	Parker	Williams	
Cauldwell					21

## FOR THE NEGATIVE.

Thayer					1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the bill to provide for taxing corporations, reported in favor of the adoption of the following resolution:

*Resolved*, That 100 copies of the bill entitled "An act to provide for taxing corporations and joint stock associations, chartered or doing business under special or general laws," be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the supervisors of the town of Lowville, Lewis county, to purchase burial lots," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal an act passed April 22d, 1867, in relation to fees of constables of the county of St. Lawrence," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to incorporate Protective Hook and Ladder Company No. one, of Hicksville, Queens county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate the Orleans County Monument Association, and to raise money by tax to erect a monument," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommitment the Assembly bill entitled "An act to establish and define the boundaries of school district No. 1, of the town of Wheatland, and county of Monroe," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer offered the following resolution:

*Resolved*, That Chauncey W. Farnham, of Rensselaer county, be and he is hereby appointed assistant doorkeeper, in place of Elisha T. Burdick, deceased.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to create a harbor district and a board of wharves and piers therein," reported the same to the Senate, with amendments, for its consideration.

Mr. Creamer moved to recommit said bill to the committee on commerce and navigation.

Mr. Mattoon moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:



## FOR THE AFFIRMATIVE.

Beach	Edwards	Murphy	Nichols	Nicks	
Bradley	Hale				7

## FOR THE NEGATIVE.

Banks	Crowley	Mattoon	Palmer	Tweed	
Cauldwell	Folger	Morris	Parker	Van Petten	
Chapman	Genet	Norton	Stanford	Williams	19
Creamer	Kennedy	O'Donnell	Thayer		

The question being upon the motion of Mr. Creamer,  
On motion of Mr. Crowley, the Senate took a recess until 7½ o'clock P. M.

## HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

Mr. Folger, from the committee on the judiciary, to which was recommit-  
mitted the Assembly bill entitled "An act to release to Catherine D. A.  
Wacker the title of this State, acquired by escheat in and to certain  
land," with power to report complete, reported the same complete, which  
report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recom-  
mitted the Assembly bill entitled "An act to confirm the official acts of  
certain town officers in the county of Westchester," with power to report  
complete, reported the same complete, which report was agreed to, and  
said bill ordered to a third reading.

The Assembly sent for concurrence, the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Fire De-  
partment of the eastern district of the city of Brooklyn,' passed January  
15, 1857," which was read the first time, and by unanimous consent was  
also read the second time, and referred to the committee on municipal  
affairs.

"An act in relation to the marine court of the city of New York,"  
which was read the first time, and by unanimous consent was also read  
the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act amendatory of and supple-  
mentary to chapter 740 of the Laws of 1865, entitled 'An act to ascer-  
tain by proper proofs the citizens who shall be entitled to the right of  
suffrage,' passed May 13th, 1865; passed April 25, 1866,'" which was  
read the first time, and by unanimous consent was also read the second  
time, and referred to the committee on the judiciary.

"An act to repeal chapter 484 of the Laws of 1865, and chapter 232 of  
the Laws of 1867, entitled 'An act in relation to the Niagara Frontier  
Police district,' passed April 1st, 1867; and to provide a police force  
for the city of Buffalo, the government and discipline thereof," which  
was read the first time, and by unanimous consent was also read the  
second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act relating to the Lutheran  
Cemetery in the town and county of Schoharie, belonging to the corpo-  
ration of St. Paul's Lutheran Church, in said town,' passed March 26,  
1861," which was read the first time, and by unanimous consent was  
also read the second time, and referred to the committee on charitable  
and religious societies.

"An act for the better regulation of the Fire Department in the city of  
Brooklyn," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the completion of the Albany and Susquehanna railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to aid in the construction of the Buffalo and Washington railway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to protect the wood-lands in Suffolk county against destruction by fire,' passed April 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to enable the trustees of the Mendon Central Congregational Society, of Mendon, Monroe county, New York, to sell their church property,' passed April 23d, 1867," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the village of Greenport, Suffolk county," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Port Morris Land and Improvement Company,''" was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the German Savings Bank of the town of Morrisania," was recommitted to the committee on banks, with power to report complete.

The President put the question pending at the hour of recess, being the motion of Mr. Creamer to recommit the bill entitled "An act to create a harbor district and a board of wharves and piers therein," to the committee on commerce and navigation, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney, of the city of Troy,' passed April 19, 1867."

Assembly, "An act making appropriations for the completion of the New York State Institution for the Blind, at Batavia."

"An act for the relief of the city of Rochester."

After some time spent therein, the President resumed the chair, and Mr. Parker, from said committee, reported in favor of the passage of

the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Port Morris Land and Improvement Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on banks, to which was recommended the bill entitled "An act to incorporate the German Savings Bank of the town of Morrisania," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Genet and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital in the city of New York," was recommitted to the committee on public health and medical societies, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and the bill entitled "An act authorizing the Cortland academy to convey certain real estate, and to remove academy buildings and appurtenances," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize and empower the Society of the First Baptist Church of Boonville, to sell and convey certain real estate," was recommitted to the committee on charitable and religious societies, with power to report complete.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act for the construction and maintenance of certain piers from the southerly side of West 13th street to the northerly side of Hammond street, in the Ninth ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to storage and the keeping of combustible materials in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Williams, from the committee on State prisons, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the punishment of crimes in certain cases,' passed April 11, 1856," reported adversely thereto.

Mr. Folger moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to authorize Marcus N. Preston and Heman D. Fulton to sell and convey, as trustees, the church property of the first religious society of Borodino, in the county of Onondaga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell moved that the committee on railroads be discharged from the further consideration of the bill entitled "An act to aid in the construction of the Dunkirk, Warren and Pittsburgh Railroad Company," and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15th, 1852," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Morris and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Chautauqua to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town to borrow money to pay the existing indebtedness of said town for highway and bridge purposes, and to repair the highways and bridges therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the Orleans County Monument Association, and to raise money by tax to erect a monument," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on medical colleges and societies, to which was recommitted the Assembly bill entitled "An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital, in the city of New York," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize exchange of public property for public uses, between the Commissioners of Emigration and the Commissioners of Public Charities and Correction."

"An act to aid in the construction of the Whitehall and Plattsburgh railroad."

"An act to provide for the completion of the Wallabout Improvement of the city of Brooklyn."

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,' passed April 10, 1854."

"An act to amend an act entitled 'An act in relation to the election and appointment of town officers, and providing means for the raising of moneys for current expenses of the town of Flushing, in Queens county.'"

"An act to authorize the excavation and maintenance of a canal and basin, with piers and wharves, in Canandaigua lake, at the foot of Main street, in the village of Canandaigua, and to authorize the trustees thereof to raise money by bond, and by tax, for that purpose, and to prescribe regulations for the use thereof, and to fix and enforce the penalties for the violations of such regulations."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled as follows:

"An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. O'Donnell, the Senate adjourned.

### WEDNESDAY, MARCH 25, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Carhart.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church."

"An act to incorporate the Hudson Highland Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

"An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15, 1852."

"An act to amend an act in relation to the offices of recorder, assessor, chamberlain and city attorney, of the city of Troy, passed April 19th, 1867."

"An act to authorize Marcus N. Preston and Heman D. Fulton, to sell and convey, as trustees, the church property of the first religious society of Borodino, in the county of Onondaga."

Also as correctly re-engrossed:

"An act in relation to the Normal School at Cortland; and confirming the action of the village trustees in reference thereto."

"An act to facilitate the construction of the New York and Oswego Midland railroad, and to amend the several acts in relation thereto."

"An act to authorize the Utica and Waterville Railroad Company to alter its name."

Mr. Folger presented a petition of Richard Wright, for release of interest of State to certain real estate to Richard, Robert, James and David Wright, which was read and referred to the committee on the judiciary.

Mr. Morris presented two petitions of L. B. Grant and others, for the passage of an act making directors of the Hudson and Harlem railroad, ineligible as directors in either the Central or Erie Railway Companies, which were read and referred to the committee on railroads.

Mr. Murphy presented a petition of the managers of the New York Homœopathic Infirmary for Women, for an appropriation in the charity bill, which was read and referred to the committee on finance.

Also, a petition of P. J. Cooke and others, for the immediate repair of the canals, which was read and referred to the committee on canals.

Also, a petition of the New York Ladies' Educational Union, for an appropriation, which was read and referred to the committee on finance.

Mr. Stanford presented a petition of citizens of Schenectady, for State aid to complete the Albany and Susquehanna railroad, which was read and referred to the committee on finance.

Messrs. Banks, Van Petten and Hubbard, severally presented petitions upon same subject, which were read and referred to the committee on finance.

Messrs. Stanford and Hubbard presented remonstrances from citizens of Schoharie, against making a toll-bridge of free-bridge between the village of Canajoharie and Palatine, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Stanford presented a remonstrance against amending the charter of the village of Fort Plain, by citizens thereof, which was read and referred to the committee on municipal affairs.

Mr. Banks presented two petitions of 147 tax-payers of Rome, in favor of incorporation as a city, which were read and referred to the committee on municipal affairs.

Mr. Tweed presented two petitions of 19 firemen, for the proposed amendment to the fire law of Brooklyn, eastern district, which were read and referred to the committee on municipal affairs.

Also, a memorial of citizens of New York, in relation to the payment of the National debt, which was read and referred to the committee on finance.

Mr. Morris presented a petition for the passage of an act to amend the act incorporating the Dunkirk, Warren and Pittsburgh railroad, which was read and referred to the committee on railroads.

Mr. Williams presented a remonstrance of trustees of the Baptist Church of Arcadia, against change of name, which was read and referred to the committee on charitable and religious societies.

Mr. Crowley presented a petition of James D. Shuler for relief, which was read and referred to the committee on claims.

Mr. Chapman presented a petition for a free bridge over the Susquehanna river, at the foot of Exchange street, in Binghamton, which was read and referred to the committee on roads and bridges.

Also, a petition of citizens of Broome county, for State aid to complete the Albany and Susquehanna railroad, which was read and referred to the committee on finance.

Mr. Kennedy presented a petition of citizens of the city of Syracuse,

for permission to loan the credit of said city to aid in the construction of the Syracuse Northern Railroad Company, which was read and referred to the committee on municipal affairs.

Mr. Hale presented a petition of Belden Noble, for an act authorizing him to convey the interest of H. B. Noble in certain cases, which was read and referred to the committee on the judiciary.

Mr. Stanford presented a petition of citizens of the town of Canajoharie, Montgomery county, for the passage of the bill making toll-bridges between Palatine Bridge and Canajoharie, over the Mohawk river, which was read and referred to the committee on internal affairs of towns and counties.

Mr. O'Donnell presented a petition of citizens of Osceola, for a law prohibiting directors of one railroad from being directors in any other railroad company, which was read and referred to the committee on railroads.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Green Point Savings Bank," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mechanics' and Traders' Savings Institution,' passed April 16, 1852; and an act to amend the same, passed March 19, 1857," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Morris, from the committee on literature, to which was recommitteed the bill entitled "An act authorizing the trustees of Cortlandville Academy to convey certain real estate, and to remove Academy building and appurtenances," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego, to issue bonds in aid of the Syracuse Northern Railroad Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act in relation to insurance companies," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of the Fraternal Mutual Life Insurance Company of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the Assembly bill entitled "An act to incorporate the Schoharie and Schenectady County Farmers' Mutual Insurance Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the trustees of the Lowville First Presbyterian Church, to sell certain real estate,"

reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on public health, to which was referred the bill entitled "An act relating to State and county medical societies," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to authorize and empower the Society of the First Baptist Church of Boonville to sell and convey certain real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to enable the trustees of the Mendon Central Congregational Society of Mendon, Monroe county, New York, to sell their church property,' passed April 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The President presented the Transactions of the New York State Medical Society, which was laid on the table and ordered printed.

(See Doc. No. 76.)

Also, the Transactions of the Homœopathic Medical Society of the State of New York," which was laid on the table and ordered printed.

(See Doc. No. 77.)

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, March 23, 1868.

*Resolved*, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill entitled "An act to amend chapter 286 of Laws of 1863, entitled 'An act for the better support of the poor of the city of Poughkeepsie, county of Dutchess,' passed March 29, 1863," in order that the same may be corrected.

Also, the following:

IN ASSEMBLY, March 24, 1868.

*Whereas*, we learn from the despatches of Mr. Head, our consul at Tunis, that a fearful famine is raging there, and the people are daily dying from starvation and want, and as we have lived long in peace and amity with that country, and as she lately sent an embassy to us to declare her friendship unchanged, and wished it perpetual, now that her dark day has come, and as our government has already passed a bill for the relief of Sweden and Norway; therefore, be it



*Resolved* (if the Senate concur), That our Senators in Congress be instructed, and our Representatives requested, to use all their influence to pass a bill for the relief of Tunis, without delay.

Also, the following:

IN ASSEMBLY, *March 23, 1868.*

*Resolved* (if the Senate concur), That a respectful message be sent to His Excellency the Governor, asking that Senate bill, No. 56, entitled "An act to authorize the trustees of the McDonough Village Union Cemetery Association to construct certain avenues in their cemetery," be returned to this House for correction.

By order,

C. W. ARMSTRONG, *Clerk.*

*Ordered*, That said resolutions be laid upon the table.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859," with a message that they had passed the same, with the following amendment:

Insert in lieu of section 4, the following:

§ 4. All laws and parts of laws inconsistent with this act, and all proceedings and acts of the assessors and trustees, or other officers of said village, had or performed since the last annual meeting of said trustees, inconsistent with the true intent and meaning of this act, are hereby declared inoperative and void.

Change section 4, present bill, to section five.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Parker
Cauldwell	Graham	Morris	Norton	Stanford
Creamer	Hubbard	Nichols	O'Donnell	Tweed
Edwards				

16

FOR THE NEGATIVE.

Crowley	Folger	Van Petten
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8

Mr. Parker moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize certain towns in the counties of Oneida, Herkimer, Madison, Otsego and Chenango, to issue bonds and take stock in the Utica, Chenango and Susquehanna Valley railroad,' passed April 4, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act authorizing the placing of an obstruction at the intersection of Big Ditch with Wallkill river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize certain towns in the counties of Sullivan and Orange, to issue bonds and take stock in any company now organized or that may hereafter be organized within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in said county of Sullivan, and the town of Deepark, in the county of Orange, to Port Jervis, Orange county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee on railroads, to report complete.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to the East Side Railway Company, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act in relation to certain transactions of the board of directors of the New York and Erie Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Edwards asked and obtained leave to introduce a bill entitled "An act to open, alter, extend and widen certain roads in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to incorporate the Rochester Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to amend the acts to provide for the incorporation of religious societies, so far as the same relate to churches in connection with the Protestant Episcopal Church," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Norton	Tweed
Cauldwell	Graham	Morris	O'Donnell	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Folger	Kennedy	Nicks	Thayer	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate 'The Hudson Highland Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Parker
Beach	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Genet	Morris	Palmer	Van Petten
Creamer	Graham			

22

## FOR THE NEGATIVE.

Norton	Thayer
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2

Mr. Norton moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to establish and define the boundaries of school district No. 1, of the town of Wheatland, and county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	O'Donnell	Thayer
Campbell	Genet	Morris	Palmer	Tweed
Cauldwell	Graham	Murphy	Parker	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Crowley	Kennedy	Nicks		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release to Catherine D. A. Wacker, the title of the State, acquired by escheat, in and to certain land," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Stanford
Campbell	Folger	Morgan	Nicks	Thayer
Cauldwell	Genet	Morris	O'Donnell	Tweed
Crowley	Graham	Murphy	Parker	Williams
Crowley	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confirm the official acts of certain town officers in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed

Campbell	Folger	Morgan	Parker	Van Petten	
Cauldwell	Genet	Nichols	Stanford	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy, passed April 19th, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Edwards	Kennedy	Nicks	Thayer	
Campbell	Graham	Morgan	O'Donnell	Van Petten	
Cauldwell	Hale	Morris	Parker	Williams	20

## FOR THE NEGATIVE.

Folger	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making appropriations for the completion of the New York State Institution for the Blind, at Batavia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Parker	
Beach	Edwards	Hubbard	Morris	Stanford	
Campbell	Folger	Kennedy	Nichols	Van Petten	
Cauldwell	Graham	Mattoon	O'Donnell	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Morgan	Palmer	Thayer	
Cauldwell	Hubbard	Morris	Parker	Van Petten	
Edwards	Kennedy	Norton	Stanford	Williams	
Graham	Mattoon				17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Mattoon moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to incorporate 'The Hudson Highland Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension bridge, appurte-

nances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Crowley	Norton	Thayer	Van Petten	4
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FOR THE NEGATIVE.

Banks	Folger	Hale	Mattoon	Parker
Beach	Genet	Hubbard	Nichols	Stanford
Cauldwell	Graham	Humphrey	Nicks	Tweed
Edwards				16

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize Marcus N. Preston and Heman D. Fulton to sell and convey, as trustees, the church property of the first religious society of Borodino, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
				20

FOR THE NEGATIVE.

Folger	1
--------	---

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	O'Donnell	Thayer
Beach	Graham	Morgan	Palmer	Tweed
Cauldwell	Hale	Nichols	Parker	Williams
Edwards	Hubbard	Nicks		18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Orleans County Monument Association, and to raise money by tax to erect a monument," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Campbell	Folger	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Palmer	Van Petten
Crowley	Hale	Nichols	Parker	Williams 20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Port Morris Land and Improvement Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Campbell	Folger	Kennedy	Nicks	Tweed
Cauldwell	Graham	Morgan	O'Donnell	Van Petten
Crowley	Hale	Murphy	Parker	Williams 20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

Mr. Murphy offered the following resolution:

*Resolved*, That the Judges of the Court of Appeals be requested to inform the Senate when it will be agreeable to them to meet the Senate for the purpose of organizing a court for the trial of Robert C. Dorn, Canal Commissioner, impeached by the Honorable the Assembly, for high crimes and misdemeanors; and that a copy of this resolution, accompanied by a copy of the minutes of the journal of the Senate, touching the message of the Honorable the Assembly to the Senate on the subject of such impeachment, be forthwith transmitted to the said Judges.

Mr. Folger moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on charitable and religious societies, with power to report complete:

"An act to incorporate 'The Deaconess Institution of the Evangelical Lutheran Church.'"

"An act to incorporate the Ursuline Convent."

Mr. Creamer moved to take from the table the question of agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act to incorporate the Grocers', Tea Dealers' and Clerks' Early Closing Association, of the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Creamer moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Cauldwell and by unanims consent, the rules were suspended, and the following entitled Assembly bills, recommitted to the committee on roads and bridges, with power to report complete:

"An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms."

"An act to authorize the completion and maintaining the road from Dock street in the village of Yonkers, to the city of New York, at or near Kingsbridge, in the town of Yonkers."

Mr. Thayer offered the following resolution:

*Resolved*, That the usual edition of 1,500 copies of the annual report of the Canal Commissioners, be printed as heretofore, for the Commissioners.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Manhattan Express," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Stanford offered the following resolution:

*Resolved*, That the bill entitled "An act to revive, continue and amend the several acts to incorporate and to increase capital stock, and to extend the powers of the Sodus Canal Company," be recommitted to the committee on canals, retaining its place on general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to the New York, Housatonic and Northern Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on banks, with power to report complete:

Assembly, "An act to amend chapter 52 of the Laws of 1857, being an act entitled 'An act to incorporate the Fishkill Savings Institution,' passed February 25, 1857."

"An act to incorporate 'The Security Savings Bank,' of the city of New York."

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such



fund," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the several bills entitled "An act to extend chapter 898 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' so as to include mink and muskrats;" "An act to amend chapter 898 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; so far as the same relates to the counties of Greene and Ulster;" "An act to amend section 13 of chapter 898 of the Laws of 1867, in relation to the preservation of fresh water fish;" also the three bills, each entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish," passed May 13, 1867;" and also the petition of citizens of Dutchess county for an amendment of the game laws in relation to woodcock;" reported that they have had the same under consideration, made some amendments thereto, and concluded to report the same, as amended, incorporated in a general bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867," and have directed their chairman to report the same to the Senate and recommend its passage.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to change the name of 'The New York Ladies' Educational Union,'" was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase and maintenance of the bridge across the Mohawk river,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cort-



landt, Westchester county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," was recommitted to the committee on literature, with power to report complete.

Mr. Banks offered the following resolution:

*Resolved*, That the petitions and all the papers in the claims of Thos. P. Richards and Johannah Maria Kirchner, be taken from the files and referred to the committee on claims.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Protectives No. 1, of the city of Rochester," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the bill entitled "An act to legalize the election of constable of the village of Batavia, in the county of Genesee," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the supervisor and justices of the peace of the town of Yonkers, in the county of Westchester, to convey certain real estate in the town of Yonkers, to the Yonkers Hospital Association," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Graham, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate 'The Security Savings Bank,' of the city of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Deaconess' Institution of the Evangelical Lutheran Church," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Beach, the Senate took a recess until 7½ o'clock p. m.

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### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union Vestal Bridge Company, and to borrow money therefor," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to promote the construction of elevated railways in the counties of New York and Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act supplementary to chapter 489 of the Laws of 1867, and to enable the city of New York to collect and use revenue, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to legalize the election of constables of the village of Batavia, in the county of Genesee," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the New York, Brooklyn and New Jersey Pneumatic Transit Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the construction of a tunnel under the East river," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act authorizing the common council of the city of Poughkeepsie to build sewers therein," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo and enlarge its boundaries,' passed April 13th, 1853; and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Niagara Waterworks Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Manhattan Express," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Protectives No. 1, of the city of Rochester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the village of Cobleskill, Schoharie county," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were

suspended, and the following entitled Assembly bills recommitted to the committee on internal affairs of towns and counties, with power to report complete:

"An act to provide for the purchase of a town hall in the town of West Farms, in the county of Westchester."

"An act to enable the town of New Rochelle, in Westchester county, to raise money to build a town hall."

"An act to amend section 4 of chapter 216 of the Laws of 1867, entitled 'An act to enable the town of Southeast to raise money to purchase ground and build a town hall.'"

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of Charlotte Dalton, widow," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Geneva Savings Bank," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Safe Deposit Company of the city of Rochester," was recommitted to the committee on the judiciary, with power to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act for the further extension of Prospect Park in the city of Brooklyn."

"An act to incorporate Buffalo Park."

"An act to incorporate the International Dock Company."

After some time spent therein, the President resumed the chair, and Mr. Williams, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the same committee, reported in favor of the passage of the two last named bills, with an amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act for the relief of William Marsh."

"An act to authorize the electors of the towns of Oyster Bay and North Hempstead, Queens county, to raise money by tax."

"An act to incorporate the Jamestown Driving Park Association."

After some time spent therein, the President resumed the chair, and Mr. Stanford, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Stanford, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bill ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act to authorize the construction of a farm bridge over Rocky Rift feeder, for the benefit of John W. Hawn, in the town of Minden, in the county of Montgomery."

"An act to provide for an iron bridge over the artificial outlet of the Seneca lake."

"An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Mattoon, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Folger moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Murphy	Thayer	
Chapman	Graham	Mattoon	Nichols	Tweed	
Creamer	Hale	Morgan	Nicks	Williams	
Crowley	Hubbard	Morris	Stanford		19

FOR THE NEGATIVE.

Banks	Campbell	Edwards	Norton	Parker	
Bradley	Cauldwell	Genet	O'Donnell	Van Petten	10

Whereupon the Senate adjourned.

THURSDAY, MARCH 26, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Baldwin.

The journal of yesterday was read and approved.

Mr. Stanford presented a remonstrance of citizens of Palatine, against a toll-bridge, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Parker presented a remonstrance of citizens of Franklin county, against State aid to railroads, which was read and referred to the committee on finance.

Mr. Thayer presented a petition of supervisors of Washington county, for the passage of Assembly bill No. 152, allowing a majority of said board to locate county buildings, which was read and referred to the committee on the judiciary.

Mr. Pierce presented a petition of firemen of Brooklyn, for proposed amendment of Fire Laws, which was read and referred to the committee on municipal affairs.

Mr. Van Petten presented a petition of 300 citizens of New York, in favor of present Excise Law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Nichols presented a petition of citizens of Buffalo, and of Erie county, for aid in constructing the Buffalo and Washington railway, which was read and referred to the committee on finance.

Mr. Hale presented a remonstrance of citizens and tax payers of New Brighton, against the passage of an act to amend an act entitled "An act to incorporate said village," which was read and referred to the committee on municipal affairs.

Mr. Edwards presented a petition of inhabitants of Riverhead, Suffolk county, for extension of time for burning coal kilns, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten presented a petition of supervisors of Manheim, Danube and Little Falls, for an appropriation for a bridge at Fink's Basin, which was read and referred to the committee on claims.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the East New York Savings Bank, in the town of New Lots, Kings county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the West Side Savings Institution, of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Fulton Savings Bank, of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the Geneva Savings Bank," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend chapter 52 of the Laws of 1857, being an act entitled 'An act to incorporate the Fishkill Savings Institution,' passed February 25, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to change the name of 'The New York Ladies' Educational Union,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Ursuline Convent," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Canal Commissioners, reported in favor of the adoption of the following resolution:

*Resolved*, That the usual edition of 1,500 copies of the annual report of the Canal Commissioners, be published as heretofore, for the Commissioners.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act in relation to re-opening a ditch situate on the east

side of the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to authorize the construction of a bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was recommitted the bill entitled "An act to revise, continue and amend the several acts to incorporate and increase the capital stock, and to extend the powers of the Sodus Canal Company," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was recommitted the bill entitled "An act in relation to the New York, Housatonic and Northern Railroad Company," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the German Savings Bank, of the town of Morrisania."

"An act to incorporate the Security Savings Bank, of the city of New York."

"An act authorizing the trustees of Cortlandville academy to convey certain real estate, and to remove academy building and appurtenances."

"An act to incorporate the Manhattan Express."

"An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof."

"An act to incorporate 'The Deaconess Institution of the Evangelical Lutheran Church.'"

"An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund."

"An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose."

"An act to legalize the election of constable of the village of Batavia, in the county of Genesee."

"An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866."

"An act to incorporate Buffalo Park."

Mr. Van Petten, from the committee on the militia, to which was referred the bill entitled "An act to incorporate the veterans of the 22d Regiment, 4th Brigade, 1st Division, National Guard of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wall-



kill river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act to protect the wood lands in Suffolk county against destruction by fire," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend section 4 of chapter 216 of the Laws of 1867, entitled 'An act to enable the town of Southeast to raise money to purchase ground and build a town hall,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the supervisor and justice of the peace of the town of Yonkers, in the county of Westchester, to convey certain real estate in the town of Yonkers to the Yonkers Hospital Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to provide for the purchase of a town hall for the town of West Farms, in the county of Westchester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to enable the town of New Rochelle, in Westchester county, to raise money to build a town hall," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act for the relief of Charlotte Dalton, widow," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Safe Deposit Company of the city of Rochester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to Wm. Moody, and authorizing the said Moody to convey the same," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to incorporate the village of Cobleskill, Schoharie county," with power to report complete,



reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Niagara Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act to revise the charter of the city of Buffalo, and enlarge its boundaries," passed April 13, 1853, and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," reported in favor of the passage of the same, with amendments.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Feeter J. Mather and others, for an act for a separate road district in the towns of Fairfield, Manheim and Little Falls, reported by bill entitled "An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge, in the town of Yonkers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the boards of supervisors of Orleans and Niagara counties, to appropriate money to repair the County Line road between said counties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Free-will Baptist General Conference," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from a majority of the committee on charitable and religious societies, to which was referred the petition of the Ocean Rock Division of Sons of Temperance, of Louisville, for an act of incorporation, reported by bill entitled "An act to incorporate the Ocean Rock Division No. 30, of the Sons of Temperance, located at Louisville, St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act for the relief of St. Mary's Church, in the city of New York, to amend the act incorporating the same, and for other purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Morris and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the sale and conveyance of the Jamestown Academy and site, and a portion of the site of the Central School of the Union Free School District No. 1, of the town of Ellicott," was recommitted to the committee on literature, with power to report complete.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the Diocese of Western New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act in relation to mortgages executed by railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act supplementary to an act declaring the village of Adams, a valid corporation," passed May 20, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to

introduce a bill entitled "An act to promote mechanical towage upon the Erie canal, and other canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Empire Skating Rink Association, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the better prevention of steam-boiler explosions, and for the better regulation of steam-boilers in the Metropolitan Police District,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to release to John Woollard the estate, right, title and interest of the people of the State of New York, of, in and to a certain piece of land situate in the city of Rochester, county of Monroe, and State of New York, of which Ralph M. Crysler died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Wood Lawn Cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Pierce moved that the committee appointed to investigate the affairs of the Erie railway, have an extension of time until Tuesday next, to report the result of their investigations, and that meantime the Clerk be instructed to have the usual number of copies of the testimony taken by said committee printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet offered the following resolution:

*Resolved*, That 2,000 copies of the annual report of the New York Institution for the Deaf and Dumb, be printed for that Institution, 500 copies for the Superintendent of Public Instruction, and 500 for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *March 25, 1868.*

*Resolved*, That a message be sent to the Honorable the Senate and the Court of Appeals, informing the members thereof, respectively, that the

House of Assembly have adopted articles of impeachment against Robert O. Dorn, Canal Commissioner, and appointed Managers to conduct the trial, and that they are ready to exhibit the articles to the Court of Impeachment.

By order.

C. W. ARMSTRONG, *Clerk.*

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and the bill entitled "An act to enable the First Free Methodist Church in the city of Syracuse, to elect trustees," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," was recommitted to the committee on railroads, with power to report complete.

Mr. Morgan offered the following resolution:

*Resolved*, That the bill entitled "An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal from the aqueduct to a point ten chains east of Lyell street, in the city of Rochester,' passed June 21, 1866," be committed to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to legalize certain acts of the trustees of school district No. 14, of Schroëppel and Volney," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act releasing to Mary McGrau all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Caldwell and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called

the Southern Boulevard,' passed April 9, 1867," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, New York, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect their trustees in said district," was recommitted to the committee on literature, with power to report complete.

Mr. Kennedy moved that the bill entitled "An act in relation to the Police and Fire Department of the city of Syracuse," be recommitted to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thayer moved to take from the table the motion to reconsider the vote referring to the committee on the judiciary the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Thayer moved to refer said bill to the committee on manufactures.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the charter of the city of Syracuse," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856, by changing the manner of electing the trustees thereof," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize certain life insurance companies to make annual dividends," was recommitted to the committee on insurance, with power to report complete.

Mr. Folger offered the following resolution:

*Resolved*, That a message be sent to the Assembly, respectfully requesting that the Assembly return to the Senate the Assembly bill for the incorporation of the "Irish Corcoran Legion."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were

suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," was recommitted to the committee on roads and bridges, with power to report complete.

The bill entitled "An act to incorporate the German Savings Bank, of the town of Morrisania," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nichols	Pierce	
Bradley	Edwards	Morgan	Nicks	Stanford	
Campbell	Hale	Morris	O'Donnell	Thayer	
Cauldwell	Hubbard	Murphy	Parker	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize and empower the Society of the First Baptist Church of Boonville, to sell and convey certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Nicks	Pierce	
Cauldwell	Hale	Morris	O'Donnell	Stanford	
Creamer	Hubbard	Nichols	Parker	Tweed	
Edwards	Kennedy				17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker	
Beach	Genet	Morgan	Norton	Thayer	
Campbell	Hale	Morris	O'Donnell	Tweed	
Cauldwell	Hubbard	Murphy	Palmer	Van Petten	
Creamer					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to enable the trustees of the Mendon Central Congregational Society of Mendon, Monroe county, New York, to sell their church property,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Pierce
Beach	Edwards	Morgan	O'Donnell	Stanford
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act authorizing the trustees of Cortlandville academy to convey certain real estate, and to remove academy building and appurtenances," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Beach	Edwards	Morgan	O'Donnell	Thayer
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten

20

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill entitled "An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed
Creamer	Hale	Nichols	Parker	Van Petten
Edwards	Hubbard	Norton	Pierce	Williams
Folger	Kennedy			

22

## FOR THE NEGATIVE.

Campbell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Security Savings Bank, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer	Hubbard	Norton		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate 'The Deaconess Institution of the Evangelical Lutheran Church,'" was read a third time.



The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Nichols	Parker
Beach	Edwards	Morgan	Norton	Tweed
Campbell	Hubbard	Murphy	Palmer	Van Petten
Cauldwell	Kennedy			

17

## FOR THE NEGATIVE.

Folger	Williams
--------	----------

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Palmer
Beach	Folger	Hubbard	Morris	Parker
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Nicks	Tweed
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof," having been announced for a third reading,

On motion of Mr. Murphy and by unanimous consent, said bill was amended by striking out in first section the word "June," and inserting "September."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Thayer
Beach	Graham	Morris	O'Donnell	Tweed
Campbell	Hale	Murphy	Palmer	Van Petten
Cauldwell	Hubbard	Nichols	Parker	Williams
Edwards	Kennedy	Nicks		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer
Beach	Folger	Morgan	Palmer	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Campbell	Hale	Nichols	Pierce	Williams
Cauldwell	Hubbard	Nicks		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the election of constable of the village of Batavia, in the county of Genesee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Folger	Kennedy	Nicks	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Crowley	Hubbard	Murphy	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Creamer	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris	Stanford	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Parker moved to take from the table the question concurring in the amendments of the Assembly to the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Norton	Stanford
Campbell	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Creamer	Humphrey	Nichols	Parker	Van Petten
Edwards	Kennedy	Nicks	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	O'Donnell	Tweed
Chapman	Hale	Murphy	Palmer	Van Petten
Creamer	Hubbard	Nichols	Parker	Williams
Edwards	Humphrey			

27

## FOR THE NEGATIVE.

Banks	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Protectives No. 1, of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Norton	Pierce
Beach	Folger	Humphrey	O'Donnell	Stanford
Cauldwell	Genet	Kennedy	Palmer	Thayer
Chapman	Graham	Morgan	Parker	Williams
Creamer	Hale	Nichols		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate Buffalo Park," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Stanford
Bradley	Edwards	Morgan	Norton	Thayer
Cauldwell	Genet	Morris	Palmer	Van Petten
Chapman	Hale	Murphy	Parker	Williams
Creamer				

21

## FOR THE NEGATIVE.

Humphrey	1
----------	---

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the electors of the towns of Oyster Bay and North Hempstead, Queens county, to raise money by tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Beach	Folger	Morgan	O'Donnell	Tweed
Canfield	Graham	Morris	Parker	Van Petten
Chapman	Howard	Nichols	Stanford	Williams
Creamer	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Jamestown Driving Park Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Palmer	Thayer
Canfield	Genet	Mattoon	Parker	Tweed
Chapman	Graham	Morgan	Pierce	Van Petten
Creamer	Hale	Morris	Stanford	Williams
Edwards	Hubbard	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a farm bridge over Rocky Rift feeder, for the benefit of John W. Hawn, in the town of Minden, in the county of Montgomery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Norton	Stanford
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Creamer	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nicks	Pierce	Williams
Genet				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer called from the table the resolution from the Assembly, in the words following:

*Resolved*, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill entitled "An act to amend chapter 286 of Laws of 1863, entitled 'An act for the better support of the poor of the city of Poughkeepsie, county of Dutchess,' passed March 29, 1863," in order that the same may be corrected.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend the charter of the city of Syracuse," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

"An act to authorize Lewis Runyon to establish and maintain a ferry across the Seneca lake, at Lodi Landing."

"An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen."

After some time spent therein, the President resumed the chair, and Mr. Pierce, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Pierce, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

On motion of Mr. Beach and by unanimous consent, the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the bill entitled "An act to change the name of the Benevolent Dramatic and Musical Association to the Asylum for Aged and Infirm Hebrews," was recommitted to the committee on charitable and religious societies, with power to report complete.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the charter of the United States Warehouse Company."

Assembly, "An act for the relief of William Marsh."

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Bradley, the Senate took a recess until 7½ o'clock P. M.

### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the city of Buffalo to borrow money, and to subscribe to the capital stock of the Buffalo and Washington Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the building of an iron bridge across the Susquehanna river, at Cooperstown, and to provide for the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act for the relief of William Marsh."

Assembly, "An act to amend the certificates of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company."

"An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal from the aqueduct to a point ten chains west of Lyell street, in the city of Rochester,' passed June 21, 1866."

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of the assignee of William McArthur, contractor on repair section No. 3 of the Genesee Valley canal," reported that they have made some amendments thereto, and amended the title so that it reads "An act for the relief of Russell Martin, assignee of William McArthur, contractor on repair section No. 3 of the Genesee Valley canal," and as amended, recommend its passage; said bill was committed to the committee of the whole.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials toward the erection, altering or repairing buildings, in the city of New York,' passed May 5, 1863."

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,' passed March 3, 1867."

"An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue."

"An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal school buildings."

"An act to incorporate the Wells Seminary for the higher education of young women."

"An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled as follows:

"An act to authorize the Utica and Waterville Railroad Company to alter its name."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York."

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the second named bill, without amendment.

On motion of Mr. Murphy and by unanimous consent, the title of said bill was amended by adding thereto the words "in relation to life and health insurance companies."

The President put the question whether the Senate would agree to the report of the committee of the whole, as amended, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morgan	Pierce	
Bradley	Chapman	Graham	Norton	Stanford	
Campbell	Creamer	Hubbard	Parker	Tweed	15

#### FOR THE NEGATIVE.

Beach	Folger	Morris	Nicks	Thayer	
Crowley	Hale	Murphy	O'Donnell	Van Petten	
Edwards	Humphrey	Nichols	Palmer	Williams	15

Mr. Creamer moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Bradley	Genet	Humphrey	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Tweed
Chapman	Hale	Murphy	Parker	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Banks	Folger	O'Donnell	Thayer	Williams
Campbell	Morris	Palmer		

8

Mr. Chapman, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on commerce and navigation.

Mr. Beach moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Crowley	Edwards	Stanford
Campbell				

6

## FOR THE NEGATIVE.

Banks	Folger	Hubbard	Murphy	Palmer
Bradley	Genet	Humphrey	Nichols	Parker
Cauldwell	Graham	Morgan	Nicks	Thayer
Creamer	Hale	Morris	Norton	Tweed

20

The President then put the question whether the Senate would agree to said motion of Mr. Genet, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nichols	Parker
Bradley	Graham	Morris	Nicks	Tweed
Cauldwell	Hubbard	Murphy	Palmer	

14

## FOR THE NEGATIVE.

Beach	Folger	Morgan	O'Donnell	Thayer
Chapman	Hale	Norton	Stanford	Van Petten
Edwards				

11

Mr. Beach moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morris	Parker	Van Petten
Crowley	Hubbard	Murphy	Pierce	Williams
Edwards	Humphrey	Nicks	Tweed	

14

## FOR THE NEGATIVE.

Banks	Chapman	Graham	Nichols	Palmer
Beach	Creamer	Hale	Norton	Stanford

Bradley	Genet	Morgan	O'Donnell	Thayer	16
Cauldwell					

After debate,

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Folger	Morgan	Nicks	Tweed	
Chapman	Genet	Morris	O'Donnell	Van Petten	
Cresmer	Graham	Murphy	Parker	Williams	22
Crowley	Hubbard				

FOR THE NEGATIVE.

Bradley	Hale	Palmer	Stanford	Thayer	7
Cauldwell	Norton				

Whereupon the Senate adjourned.

FRIDAY, MARCH 27, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Irvine.

The journal of yesterday was read and approved.

Mr. Edwards presented a remonstrance of inhabitants of Suffolk Co., against prohibition of pound fishing, which was read and referred to the committee on internal affairs of towns and counties.

Also a petition of inhabitants of Suffolk county, for the prohibition of pound fishing, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Chapman moved that the committee on literature be discharged from the further consideration of the petition of the chamber of commerce of New York, praying that school laws be so amended as to enable the board of education of New York to embrace in its system of education practical and scientific navigation, and that the same be referred to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Rochester Bridge Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," with power to report complete, reported the same



complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of Charlotte Dalton, widow."

"An act to change the name of 'The New York Ladies' Educational Union.'"

"An act to incorporate the Ursuline Convent."

"An act to constitute a separate road district in the town of Palatine, in the county of Montgomery."

"An act to authorize Lewis Runyon to establish and maintain a ferry across Seneca lake at Lodi Landing."

"An act in relation to the New York Housatonic and Northern Railroad Company."

"An act to incorporate the Geneva Savings Bank."

"An act to amend the charter of the city of Syracuse."

"An act for the further extension of Prospect Park, in the city of Brooklyn."

Also as correctly re-engrossed:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms, to widen, make, extend and improve a highway in said town, to be called the Southern Boulevard,' passed April 9, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the establishment of a Nautical School in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to open and improve Maspeth avenue, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed Feb'y 17, 1857; and the act amendatory thereof, passed April 2, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853; and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Greenport, Suffolk county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Brooklyn Eye and Ear Hospital," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Freewill Baptist General Conference of North America," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to enable the First Free Methodist Church in the city of Syracuse to elect trustees," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act relative to changing the name of a society from the 'Benevolent Dramatic and Musical Association,' to an Asylum for Aged and Infirm Hebrews," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Niagara Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act to revise the charter of the city of Buffalo, and enlarge its boundaries," passed April 13, 1853, and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," reported in favor of the passage of the same, with amendments.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Feeter J. Mather and others, for an act for a separate road district in the towns of Fairfield, Manheim and Little Falls, reported by bill entitled "An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge, in the town of Yonkers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the boards of supervisors of Orleans and Niagara counties, to appropriate money to repair the County Line road between said counties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Free-will Baptist General Conference," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from a majority of the committee on charitable and religious societies, to which was referred the petition of the Ocean Rock Division of Sons of Temperance, of Louisville, for an act of incorporation, reported by bill entitled "An act to incorporate the Ocean Rock Division No. 30, of the Sons of Temperance, located at Louisville, St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act for the relief of St. Mary's Church, in the city of New York, to amend the act incorporating the same, and for other purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Morris and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the sale and conveyance of the Jamestown Academy and site, and a portion of the site of the Central School of the Union Free School District No. 1, of the town of Ellicott," was recommitted to the committee on literature, with power to report complete.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the Diocese of Western New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act in relation to mortgages executed by railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. O'Donnell asked and obtained leave to introduce a bill entitled "An act supplementary to an act declaring the village of Adams, a valid corporation, passed May 20, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Edwards asked and obtained leave to

introduce a bill entitled "An act to promote mechanical towage upon the Erie canal, and other canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to incorporate the Empire Skating Rink Association, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the better prevention of steam-boiler explosions, and for the better regulation of steam-boilers in the Metropolitan Police District,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to release to John Woollard the estate, right, title and interest of the people of the State of New York, of, in and to a certain piece of land situate in the city of Rochester, county of Monroe, and State of New York, of which Ralph M. Cryslar died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the extension of Central road or avenue, in the county of Westchester, from its terminus at or near Wood Lawn Cemetery, in the town of Yonkers, to a point at or near the village of White Plains,' passed April 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Pierce moved that the committee appointed to investigate the affairs of the Erie railway, have an extension of time until Tuesday next, to report the result of their investigations, and that meantime the Clerk be instructed to have the usual number of copies of the testimony taken by said committee printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet offered the following resolution:

*Resolved*, That 2,000 copies of the annual report of the New York Institution for the Deaf and Dumb, be printed for that Institution, 500 copies for the Superintendent of Public Instruction, and 500 for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, March 25, 1868.

*Resolved*, That a message be sent to the Honorable the Senate and the Court of Appeals, informing the members thereof, respectively, that the

House of Assembly have adopted articles of impeachment against Robert C. Dorn, Canal Commissioner, and appointed Managers to conduct the trial, and that they are ready to exhibit the articles to the Court of Impeachment.

By order.

C. W. ARMSTRONG, *Clerk.*

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and the bill entitled "An act to enable the First Free Methodist Church in the city of Syracuse, to elect trustees," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," was recommitted to the committee on railroads, with power to report complete.

Mr. Morgan offered the following resolution:

*Resolved*, That the bill entitled "An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal from the aqueduct to a point ten chains east of Lyell street, in the city of Rochester,' passed June 21, 1866," be committed to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to legalize certain acts of the trustees of school district No. 14, of Schröppel and Volney," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act releasing to Mary McGrau all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called

the Southern Boulevard,' passed April 9, 1867," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, New York, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect their trustees in said district," was recommitted to the committee on literature, with power to report complete.

Mr. Kennedy moved that the bill entitled "An act in relation to the Police and Fire Department of the city of Syracuse," be recommitted to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Thayer moved to take from the table the motion to reconsider the vote referring to the committee on the judiciary the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Thayer moved to refer said bill to the committee on manufactures.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the charter of the city of Syracuse," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856, by changing the manner of electing the trustees thereof," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize certain life insurance companies to make annual dividends," was recommitted to the committee on insurance, with power to report complete.

Mr. Folger offered the following resolution:

*Resolved*, That a message be sent to the Assembly, respectfully requesting that the Assembly return to the Senate the Assembly bill for the incorporation of the "Irish Corcoran Legion."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and to enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were

suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," was recommitted to the committee on roads and bridges, with power to report complete.

The bill entitled "An act to incorporate the German Savings Bank, of the town of Morrisania," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nichols	Pierce	
Bradley	Edwards	Morgan	Nicks	Stanford	
Campbell	Hale	Morris	O'Donnell	Thayer	
Cauldwell	Hubbard	Murphy	Parker	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize and empower the Society of the First Baptist Church of Boonville, to sell and convey certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Nicks	Pierce	
Cauldwell	Hale	Morris	O'Donnell	Stanford	
Creamer	Hubbard	Nichols	Parker	Tweed	
Edwards	Kennedy				17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the sale of the Methodist Episcopal Church at Brainerd's Bridge, Rensselaer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker	
Beach	Genet	Morgan	Norton	Thayer	
Campbell	Hale	Morris	O'Donnell	Tweed	
Cauldwell	Hubbard	Murphy	Palmer	Van Petten	
Creamer					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to enable the trustees of the Mendon Central Congregational Society of Mendon, Monroe county, New York, to sell their church property,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Pierce
Beach	Edwards	Morgan	O'Donnell	Stanford
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten 20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act authorizing the trustees of Cortlandville academy to convey certain real estate, and to remove academy building and appurtenances," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Beach	Edwards	Morgan	O'Donnell	Thayer
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten 20

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly bill entitled "An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed
Creamer	Hale	Nichols	Parker	Van Petten
Edwards	Hubbard	Norton	Pierce	Williams 22
Folger	Kennedy			

## FOR THE NEGATIVE.

Campbell 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Security Savings Bank, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer	Hubbard	Norton		28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate 'The Deaconess Institution of the Evangelical Lutheran Church,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Nichols	Parker
Beach	Edwards	Morgan	Norton	Tweed
Campbell	Hubbard	Murphy	Palmer	Van Petten
Cauldwell	Kennedy			

17

## FOR THE NEGATIVE.

Folger	Williams	
--------	----------	--

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Palmer
Beach	Folger	Hubbard	Morris	Parker
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Nicks	Tweed
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof," having been announced for a third reading,

On motion of Mr. Murphy and by unanimous consent, said bill was amended by striking out in first section the word "June," and inserting "September."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Thayer
Beach	Graham	Morris	O'Donnell	Tweed
Campbell	Hale	Murphy	Palmer	Van Petten
Cauldwell	Hubbard	Nichols	Parker	Williams
Edwards	Kennedy	Nicks		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the board of education of the city of Syracuse to transfer the fund belonging to said city arising from the Gospel and School lots, to the permanent fund under their control, for school purposes, and expend the same as a part of such fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer
Beach	Folger	Morgan	Palmer	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Campbell	Hale	Nichols	Pierce	Williams
Cauldwell	Hubbard	Nicks		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize the election of constable of the village of Batavia, in the county of Genesee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Folger	Kennedy	Nicks	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Crowley	Hubbard	Murphy	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Mattoon	Palmer	Van Petten
Creamer	Hale	Morgan	Parker	Williams
Edwards	Hubbard	Morris	Stanford	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Parker moved to take from the table the question concurring in the amendments of the Assembly to the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Norton	Stanford
Campbell	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Creamer	Humphrey	Nichols	Parker	Van Petten
Edwards	Kennedy	Nicks	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The bill entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	O'Donnell	Tweed
Chapman	Hale	Murphy	Palmer	Van Petten
Creamer	Hubbard	Nichols	Parker	Williams
Edwards	Humphrey			

27

## FOR THE NEGATIVE.

Banks

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Protectives No. 1, of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Norton	Pierce
Beach	Folger	Humphrey	O'Donnell	Stanford
Cauldwell	Genet	Kennedy	Palmer	Thayer
Chapman	Graham	Morgan	Parker	Williams
Creamer	Hale	Nichols		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate Buffalo Park," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Stanford
Bradley	Edwards	Morgan	Norton	Thayer
Cauldwell	Genet	Morris	Palmer	Van Petten
Chapman	Hale	Murphy	Parker	Williams
Creamer				

21

## FOR THE NEGATIVE.

Humphrey

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the electors of the towns of Oyster Bay and North Hempstead, Queens county, to raise money by tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Beach	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten.
Chapman	Hubbard	Nichols	Stanford	Williams
Creamer	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Jamestown Driving Park Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Palmer	Thayer
Cauldwell	Genet	Mattoon	Parker	Tweed
Chapman	Graham	Morgan	Pierce	Van Petten
Creamer	Hale	Morris	Stanford	Williams
Edwards	Hubbard	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a farm bridge over Rocky Rift feeder, for the benefit of John W. Hawn, in the town of Minden, in the county of Montgomery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Norton	Stanford
Cauldwell	Hubbard	Morgan	O'Donnell	Thayer
Creamer	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nicks	Pierce	Williams
Genet				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer called from the table the resolution from the Assembly, in the words following:

*Resolved*, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return of Assembly bill entitled "An act to amend chapter 286 of Laws of 1863, entitled 'An act for the better support of the poor of the city of Poughkeepsie, county of Dutchess,' passed March 29, 1863," in order that the same may be corrected.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend the charter of the city of Syracuse," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

"An act to authorize Lewis Runyon to establish and maintain a ferry across the Seneca lake, at Lodi Landing."

"An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen."

After some time spent therein, the President resumed the chair, and Mr. Pierce, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Pierce, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

On motion of Mr. Beach and by unanimous consent, the Assembly bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the bill entitled "An act to change the name of the Benevolent Dramatic and Musical Association to the Asylum for Aged and Infirm Hebrews," was recommitted to the committee on charitable and religious societies, with power to report complete.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend the charter of the United States Warehouse Company."

Assembly, "An act for the relief of William Marsh."

After some time spent therein, the President resumed the chair, and Mr. Campbell, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Bradley, the Senate took a recess until 7½ o'clock P. M.

### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the city of Buffalo to borrow money, and to subscribe to the capital stock of the Buffalo and Washington Railway Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the building of an iron bridge across the Susquehanna river, at Cooperstown, and to provide for the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act for the relief of William Marsh."

Assembly, "An act to amend the certificates of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company."

"An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal from the aqueduct to a point ten chains west of Lyell street, in the city of Rochester,' passed June 21, 1866."

After some time spent therein, the President resumed the chair, and Mr. Cauldwell, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Cauldwell, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of the assignee of William McArthur, contractor on repair section No. 3 of the Genesee Valley canal," reported that they have made some amendments thereto, and amended the title so that it reads "An act for the relief of Russell Martin, assignee of William McArthur, contractor on repair section No. 3 of the Genesee Valley canal," and as amended, recommend its passage; said bill was committed to the committee of the whole.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to secure the payment of mechanics, laborers, and persons furnishing materials toward the erection, altering or repairing buildings, in the city of New York,' passed May 5, 1863."

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to amend subdivision 5 of section 5 of title 11 of the charter of the city of Syracuse, entitled 'Board of Education,' passed March 3, 1867."

"An act to provide for the erection of wharves and piers in the Harlem river, below the Second avenue."

"An act to authorize the village of Potsdam to issue bonds and levy taxes to aid in procuring a site for Normal school buildings."

"An act to incorporate the Wells Seminary for the higher education of young women."

"An act in relation to the New York Mutual Gas Light Company, incorporated by an act entitled 'An act to incorporate the New York Mutual Gas Light Company,' passed April 17, 1866."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled as follows:

"An act to authorize the Utica and Waterville Railroad Company to alter its name."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York."

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of the first named bill, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the same committee, reported in favor of the passage of the second named bill, without amendment.

On motion of Mr. Murphy and by unanimous consent, the title of said bill was amended by adding thereto the words "in relation to life and health insurance companies."

The President put the question whether the Senate would agree to the report of the committee of the whole, as amended, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Canldwell	Genet	Morgan	Pierce	
Bradley	Chapman	Graham	Norton	Stanford	
Campbell	Creamer	Hubbard	Parker	Tweed	15

#### FOR THE NEGATIVE.

Beach	Folger	Morris	Nicks	Thayer	
Crowley	Hale	Murphy	O'Donnell	Van Petten	
Edwards	Humphrey	Nichols	Palmer	Williams	15



Mr. Creamer moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Bradley	Genet	Humphrey	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Tweed
Chapman	Hale	Murphy	Parker	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Banks	Folger	O'Donnell	Thayer	Williams
Campbell	Morris	Palmer		

8

Mr. Chapman, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Genet moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be recommitted to the committee on commerce and navigation.

Mr. Beach moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Crowley	Edwards	Stanford
Campbell				

6

## FOR THE NEGATIVE.

Banks	Folger	Hubbard	Murphy	Palmer
Bradley	Genet	Humphrey	Nichols	Parker
Cauldwell	Graham	Morgan	Nicks	Thayer
Creamer	Hale	Morris	Norton	Tweed

20

The President then put the question whether the Senate would agree to said motion of Mr. Genet, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nichols	Parker
Bradley	Graham	Morris	Nicks	Tweed
Cauldwell	Hubbard	Murphy	Palmer	

14

## FOR THE NEGATIVE.

Beach	Folger	Morgan	O'Donnell	Thayer
Chapman	Hale	Norton	Stanford	Van Petten
Edwards				

11

Mr. Beach moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morris	Parker	Van Petten
Crowley	Hubbard	Murphy	Pierce	Williams
Edwards	Humphrey	Nicks	Tweed	

14

## FOR THE NEGATIVE.

Banks	Chapman	Graham	Nichols	Palmer
Beach	Creamer	Hale	Norton	Stanford

Bradley	Genet	Morgan	O'Donnell	Thayer	16
Cauldwell					

After debate,

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Folger	Morgan	Nicks	Tweed	
Chapman	Genet	Morris	O'Donnell	Van Petten	
Creamer	Graham	Murphy	Parker	Williams	22
Crowley	Hubbard				

FOR THE NEGATIVE.

Bradley	Hale	Palmer	Stanford	Thayer	7
Cauldwell	Norton				

Whereupon the Senate adjourned.

FRIDAY, MARCH 27, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Mr. Irvine.

The journal of yesterday was read and approved.

Mr. Edwards presented a remonstrance of inhabitants of Suffolk Co., against prohibition of pound fishing, which was read and referred to the committee on internal affairs of towns and counties.

Also a petition of inhabitants of Suffolk county, for the prohibition of pound fishing, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Chapman moved that the committee on literature be discharged from the further consideration of the petition of the chamber of commerce of New York, praying that school laws be so amended as to enable the board of education of New York to embrace in its system of education practical and scientific navigation, and that the same be referred to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Rochester Bridge Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," with power to report complete, reported the same

complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of Charlotte Dalton, widow."

"An act to change the name of 'The New York Ladies' Educational Union.'" .

"An act to incorporate the Ursuline Convent."

"An act to constitute a separate road district in the town of Palatine, in the county of Montgomery."

"An act to authorize Lewis Runyon to establish and maintain a ferry across Seneca lake at Lodi Landing."

"An act in relation to the New York Housatonic and Northern Railroad Company."

"An act to incorporate the Geneva Savings Bank."

"An act to amend the charter of the city of Syracuse."

"An act for the further extension of Prospect Park, in the city of Brooklyn."

Also as correctly re-engrossed:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms, to widen, make, extend and improve a highway in said town, to be called the Southern Boulevard,' passed April 9, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the establishment of a Nautical School in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to open and improve Maspeth avenue, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed Feb'y 17, 1857; and the act amendatory thereof, passed April 2, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853; and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester," passed April 20, 1864," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Greenport, Suffolk county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Brooklyn Eye and Ear Hospital," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Freewill Baptist General Conference of North America," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to enable the First Free Methodist Church in the city of Syracuse to elect trustees," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act relative to changing the name of a society from the 'Benevolent Dramatic and Musical Association,' to an Asylum for Aged and Infirm Hebrews," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Tontine Association of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to authorize the judges of the several courts of the county of Kings to send prisoners for terms less than five years to the penitentiary of said county," reported that they have made some amendments thereto, and amended the title by striking out the word "send" and inserting in lieu thereof the word "sentence," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company,' passed March 22, 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing Commissioners of the Circuit Courts of the United States, to take affidavits and acknowledgments," reported adversely thereto.

Mr. Parker moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to define and limit the number of notaries public in the several counties in this State, and confer authority to take affidavits and acknowledgments,'" reported adversely thereto.

Mr. Beach moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the American Trading Company, of Borneo," reported adversely thereto.

Mr. Pierce moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the salary of the district attorney of Otsego county," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the days and hours during which the offices of clerks of counties, and registers shall be kept open," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the powers of the recorder and city judge of the city of New York," reported adversely thereto.

Mr. Folger moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to incorporations for fishing purposes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act releasing to Mary McGraw all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the New York Institution for the Deaf and Dumb, reported in favor of the adoption of the following resolutions:

*Resolved*, That 2,000 copies of the annual report of the New York Institution for the Deaf and Dumb, be printed for that institution, and 500 copies for the Superintendent of Public Instruction, and 500 for the use of the Senate.

*Resolved*, That there be printed under the direction of the Inspector General, 300 extra copies of his annual report for 1867, for distribution to the officers of the National Guard.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867," reported the same to the Senate, and recommend its passage; said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was recommended the bill entitled "An act to authorize certain life insurance companies to make annual dividends," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to incorporate the 'Commercial Agency and Credit Guaranty Company,' of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act in relation to common schools in the city of New York," reported that they have made some amendments thereto, and amended the title to read "An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to

common schools of the city of New York,' passed July 3, 1851, and acts amending the same," and as amended, recommend its passage; said bill was committed to the committee of the whole.

The Assembly sent for concurrence, the bills entitled as follows:

"An act to incorporate the Christian Biblical Institute, to be located at Eddytown, Yates county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the collection of taxes in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the sale of the lands of the State of New York situated in the city of Newburgh, heretofore purchased for the purposes of a regimental armory at the city of Newburgh, and to provide for the construction of a regimental armory in the city of Newburgh upon other lands of the State of New York, and for the appropriation of the proceeds of such sale, with such other moneys as the supervisors of the county of Orange and the common council of the city of Newburgh may appropriate therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of a farm bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to regulate the running of boats on South and Hamilton ferries, Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend chapter 802 of the Laws of 1867, and chapter 874 of the Laws of 1866, in relation to the trust and deposit fund of the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the village of Havana, in the town of Montour, county of Schuyler, and to repeal its present charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the bill entitled "An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village," with a message that they had passed the same, with the following amendments:

Section 1, line 22, engrossed bill, strike out the word "judge" and insert in lieu thereof the word "court;" line 34, after the word "pre-

"scribed" insert the following: "and said county court shall, for the purpose of such appointment, be deemed at all times open."

Mr. Humphrey moved that the Senate concur.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Thayer
Bradley	Folger	Humphrey	Norton	Tweed
Campbell	Genet	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Crowley	Hale	Nichols	Stanford	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act making appropriation for deficiencies in existing appropriations to meet existing claims and demands against the State," with a message that they had passed the same, with the following amendment:

Add to section 3, the following: "And to other ordinary expenses of repairs on that division, not provided for by repair contract."

Mr. Stanford moved that the Senate concur.

Mr. Thayer moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Humphrey	Norton	Tweed
Campbell	Folger	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Moore	Parker	Williams
Chapman				28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to repeal the charter of the Bellevue Turnpike Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Crowley asked and obtained leave to introduce a bill entitled "An act to provide for the drainage of the lowlands in the south-east part of the town of Cambria, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation



to the transfer and trial of indictments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The President presented a copy of resolutions of the chamber of commerce, in reference to the management of the canals of the State of New York, adopted March 26, 1868, which was read and referred to the committee on canals.

The bill entitled "An act to incorporate the Geneva Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Stanford
Beach	Crowley	Hale	Norton	Thayer
Bradley	Edwards	Hubbard	Palmer	Tweed
Cauldwell	Genet	Humphrey	Parker	Van Petten
Chapman				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 52 of the Laws of 1857, being an act entitled 'An act to incorporate the Fishkill Savings Institute,' passed February 25, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford
Beach	Creamer	Humphrey	Nicks	Thayer
Bradley	Edwards	Morgan	Palmer	Van Petten
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to change the name of 'The New York Ladies' Educational Union,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nicks	Thayer
Bradley	Edwards	Hubbard	Norton	Tweed
Campbell	Folger	Humphrey	Parker	Van Petten
Cauldwell	Genet	Morgan	Pierce	Williams
Chapman	Graham	Morris	Stanford	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Ursuline Convent," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	Palmer	Thayer
Bradley	Edwards	Morgan	Parker	Tweed
Cauldwell	Graham	Morris	Pierce	Williams
Chapman	Hubbard	Norton		

18

## FOR THE NEGATIVE.

O'Donnell	Van Petten	
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2

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the New York, Housatonic and Northern Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Humphrey	Nicks	Parker
Campbell	Genet	Morgan	Norton	Stanford
Chapman	Hale	Morris	O'Donnell	Thayer
Creamer	Hubbard	Nichols	Palmer	Van Petten
Edwards				

21

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 4 of chapter 216 of Laws of 1867, entitled 'An act to enable the town of South East to raise money to purchase ground and build a town hall,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Pierce
Beach	Edwards	Morris	Norton	Thayer
Bradley	Genet	Murphy	Palmer	Tweed
Campbell	Hale	Nichols	Parker	Van Petten
Cauldwell	Hubbard			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the supervisor and justices of the peace of the town of Yonkers, in the county of Westchester, to convey certain real estate in the town of Yonkers, to the Yonkers Hospital Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Pierce
Beach	Edwards	Morris	Norton	Thayer
Bradley	Genet	Murphy	Palmer	Tweed
Campbell	Hale	Nichols	Parker	Van Petten
Cauldwell	Hubbard			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the purchase of a town hall, for the town of West Farms, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Morris	Palmer	Thayer
Bradley	Edwards	Murphy	Parker	Tweed
Campbell	Folger	Nichols	Pierce	Van Petten
Cauldwell	Hale	Nicks	Stanford	Williams
Chapman	Hubbard	O'Donnell		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Charlotte Dalton, widow," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Parker
Beach	Creamer	Humphrey	Nicks	Stanford
Bradley	Folger	Morgan	O'Donnell	Tweed
Campbell	Genet	Morris	Palmer	Van Petten
Cauldwell	Hale	Murphy		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to enable the town of New Rochelle, in Westchester county, to raise money to build a town hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Norton	Stanford
Campbell	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Genet	Morris	Parker	Tweed
Chapman	Hale	Nicks	Pierce	Van Petten
Creamer	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'Safe Deposit Company,' of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Morgan	O'Donnell	Thayer
Campbell	Folger	Morris	Palmer	Tweed

Cauldwell	Graham	Nichols	Parker	Van Petten
Chapman	Hubbard	Nicks	Pierce	Williams
Creamer	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Cobleskill, Schoharie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Morris	O'Donnell	Stanford
Cauldwell	Hubbard	Nichols	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Edwards	Morgan	Norton	Pierce	Williams
Folger				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Morgan	O'Donnell	Thayer
Campbell	Folger	Murphy	Palmer	Tweed
Cauldwell	Genet	Nichols	Parker	Van Petten
Chapman	Hubbard	Nicks	Pierce	Williams
Creamer	Humphrey	Norton		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Niagara Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Morgan	Pierce
Beach	Creamer	Hale	Nicks	Tweed
Bradley	Crowley	Hubbard	Palmer	Van Petten
Campbell	Edwards	Humphrey	Parker	Williams
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act

to revise the charter of the city of Buffalo, and enlarge its boundaries," passed April 13, 1853, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	O'Donnell	Stanford
Bradley	Edwards	Morgan	Palmer	Tweed
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Genet	Norton	Pierce	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Nichols	Palmer	Thayer
Cauldwell	Hubbard	Nicks	Parker	Tweed
Creamer	Humphrey	Norton	Pierce	Van Petten
Edwards	Morgan	O'Donnell	Stanford	Williams
Folger	Morris			

22

## FOR THE NEGATIVE.

Campbell	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to regulate, grade and macadamize Locust avenue, Morris street and Waverly street, in the town of West Farms," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Morgan	Norton	Stanford
Campbell	Folger	Morris	Palmer	Tweed
Cauldwell	Genet	Nichols	Parker	Van Petten
Chapman	Hubbard	Nicks	Pierce	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the completion and maintaining the road from Dock street, in the village of Yonkers, to the city of New York, at or near Kingsbridge, in the town of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE

Banks	Creamer	Morgan	Norton	Stanford
Bradley	Edwards	Morris	Palmer	Tweed
Campbell	Folger	Nichols	Parker	Van Petten
Cauldwell	Hubbard	Nicks	Pierce	Williams
Chapman	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the charter of the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Norton	Pierce
Campbell	Folger	Morris	O'Donnell	Stanford
Cauldwell	Hale	Nichols	Palmer	Thayer
Chapman	Hubbard	Nicks	Parker	Tweed
Creamer				

21

## FOR THE NEGATIVE.

Crowley				
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1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize Lewis Runyon to establish and maintain a ferry across Seneca lake, at Lodi Landing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Palmer
Bradley	Creamer	Humphrey	Nicks	Parker
Campbell	Edwards	Morgan	Norton	Stanford
Cauldwell	Hale	Morris	O'Donnell	Thayer
Williams				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of William Marsh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Palmer
Bradley	Creamer	Humphrey	Nichols	Parker
Campbell	Edwards	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	Norton	

19

## FOR THE NEGATIVE.

Beach	O'Donnell	Stanford	Van Petten	Williams
Murphy				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the certificates of incorporation of the Central Virginia Copper and Gold Mining and Smelting Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford
Beach	Creamer	Humphrey	Nicks	Thayer
Bradley	Crowley	Morgan	Palmer	Tweed
Campbell	Edwards	Morris	Parker	Van Petten
Cauldwell	Folger	Murphy	Pierce	Williams

25

## FOR THE NEGATIVE.

Hale	O'Donnell
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to aid in the construction of the Southern Central Railroad," reported adversely thereto.

Mr. Chapman moved to disagree with the report of the committee, and that said bill be recommitted to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Morgan	O'Donnell	Tweed
Beach	Creamer	Morris	Parker	Van Petten
Bradley	Hubbard	Nichols	Stanford	Williams
Cauldwell	Mattoon			

17

## FOR THE NEGATIVE.

Campbell	Folger	Murphy	Norton	Pierce
Crowley	Genet	Nicks	Palmer	Thayer
Edwards	Humphrey			

1

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to aid in the construction of the Buffalo and Washington Railway," reported adversely thereto.

Mr. Nichols moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Tweed
Beach	Creamer	Morgan	Parker	Van Petten
Bradley	Genet	Morris	Stanford	Williams
Cauldwell	Hubbard	Nichols		

18

## FOR THE NEGATIVE.

Campbell	Folger	Murphy	Norton	Pierce
Crowley	Humphrey	Nicks	Palmer	Thayer
Edwards				

11

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to aid in the construction of the

Dunkirk, Warren and Pittsburgh Railroad Company," reported adversely thereto.

Mr. Morris moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Morgan	O'Donnell	Tweed	
Beach	Genet	Morris	Parker	Van Patten	
Bradley	Hubbard	Nichols	Stanford	Williams	
Cauldwell	Mattoon				17

## FOR THE NEGATIVE.

Campbell	Folger	Murphy	Norton	Pierce	
Crowley	Humphrey	Nicks	Palmer	Thayer	
Edwards					11

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to aid in the construction of the Lake Ontario Shore Railroad," reported adversely thereto.

Mr. Williams moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Tweed	
Beach	Creamer	Morgan	Parker	Van Petten	
Bradley	Genet	Morris	Stanford	Williams	
Cauldwell	Hubbard				17

## FOR THE NEGATIVE.

Campbell	Folger	Murphy	Norton	Pierce	
Crowley	Humphrey	Nicks	Palmer	Thayer	
Edwards					11

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the completion of the Albany and Susquehanna railroad," reported the same for consideration.

Mr. Folger moved to disagree with the report of the committee, and that the bill be rejected.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Genet	Morgan	Palmer	
Crowley	Folger	Humphrey	Norton	Parker	10

## FOR THE NEGATIVE.

Banks	Chapman	Mattoon	Nicks	Thayer	
Beach	Creamer	Morris	O'Donnell	Tweed	
Bradley	Hale	Murphy	Pierce	Van Petten	
Cauldwell	Hubbard	Nichols	Stanford	Williams	20

Said bill was committed to the committee of the whole.

Mr. Tweed offered the following resolution:

*Resolved*, That the committee on internal affairs of towns and counties be discharged from the further consideration of the Assembly bill entitled "An act relative to the Metropolitan District of the State of New York, and to provide excise regulations therefor," and that the same be committed to the committee of the whole.



The President put the question whether the Senate would agree to said resolution, when the vote was as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce	
Beach	Creamer	Mattoon	Nichols	Tweed	
Bradley	Edwards	Morris	Norton		14

## FOR THE NEGATIVE.

Campbell	Folger	Morgan	Parker	Van Petten	
Chapman	Hale	Nicks	Stanford	Williams	
Crowley	Humphrey	O'Donnell	Thayer		14

The vote being a tie, the President of the Senate voted in the negative, and declared the motion lost.

Mr. Creamer moved to reconsider the vote just taken.

Mr. Folger moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Morgan	Norton	Thayer	
Bradley	Edwards	Morris	O'Donnell	Tweed	
Campbell	Folger	Murphy	Parker	Van Petten	
Cauldwell	Genet	Nichols	Pierce	Williams	
Chapman	Hale	Nicks			23

## FOR THE NEGATIVE.

Crowley	Mattoon				2
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The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the Jamestown Driving Park Association."

"An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor.'"

*Ordered*, That the Clerk return said bills to the Assembly.

On motion of Mr. Folger, the Senate adjourned.

SATURDAY, MARCH 28, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Clapp.

The journal of yesterday was read and approved.

Mr. Genet presented a petition of A. J. Bleecker, Son & Company, and 56 others, brokers and brokerage firms in New York and Brooklyn, for the repeal of title 19, article 1, chapter 20, part 1 Revised Statutes, regulations concerning brokers, which was read and referred to the committee on the judiciary.

Mr. Morris presented a memorial against the amendment of the act to incorporate the Dunkirk, Warren and Pittsburgh railroad, which was read and referred to the committee on railroads.

Also, a petition of citizens of the town of Stockton, for an amendment of said act, which was read and referred to the committee on railroads.

Mr. Chapman presented a petition of citizens of the county of Tioga,

for the extension of Chenango canal, which was read and referred to the committee on canals.

Mr. Hubbard presented three petitions of citizens of Schoharie county, for State aid to the Albany and Susquehanna railroad, which were read and referred to the committee of the whole.

Messrs. Stanford and Van Petten presented petitions on same subject, which were read and referred to the committee of the whole.

Mr. Van Petten, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Freewill Baptist General Conference of North America."

"An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles."

"An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof."

"An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen."

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act to incorporate the International Dock Company."

"An act to enable the First Free Methodist Church in the city of Syracuse to elect trustees."

"An act to authorize certain life insurance companies to make annual dividends."

"An act to amend chapter 899 of the Laws of 1866, entitled 'An act to provide for raising the berme bank and tow-path of the Erie canal from the aqueduct to a point ten chains west of Lyell street, in the city of Rochester,' passed June 21, 1866."

Mr. Creamer, from the committee on municipal affairs, to which was referred the petition of the mayor, aldermen and commonalty of the city of New York, for the passage of an act authorizing them to extend Lexington avenue northerly from its present terminus to the Hudson river, reported by bill entitled "An act to extend Lexington avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the village of Canastota and the towns of Cazenovia and Fenner, in the county of Madison, to issue bonds and take stock in the Cazenovia and Canastota Railroad Company," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to make the town of Providence a

part of the first school commissioner's district of Saratoga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the resident trustees of Genoa academy to sell, transfer and convey to the trustees of school district No. 6, of the town of Genoa, the grounds, buildings, library and school apparatus belonging to said academy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to legalize certain acts of the trustees of school district No. 14, of Schroeppl and Volney," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to authorize the sale and conveyance of the Jamestown academy and site, and a portion of the site of the central school of the Union Free School district No. 1, of the town of Ellicott," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, New York, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect three trustees in said district," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856, by changing the manner of electing the trustees thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of a farm bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of citizens of Sullivan county, for repeal of act relative to assessment of highway labor upon the Jeffersonville and Monticello plankroad, reported by bill entitled "An act to amend chapter 121 of the Laws of 1867, entitled 'An act authorizing the assessment of highway labor upon the Jeffersonville and Monticello turnpike road,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred

the bill entitled "An act to incorporate the Isthmus Ship Canal Company," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the Isthmus Canal Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the petition of the supervisors of the city of Utica, for an amendment of section 4, of the act in relation to the collection of taxes in said city, reported by bill entitled "An act to amend chapter 659 of the Laws of 1865, entitled 'An act in relation to the collection of taxes in the city of Utica,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the drainage of the lowlands in the south-east part of the town of Cambria, in the county of Niagara," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to regulate searches in the offices of the register and clerk of the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Beach moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 715 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865," was recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Genet moved to recommit said bill to the committee on commerce and navigation, to retain its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

In returning the bill entitled "An act making appropriation for deficiencies in existing appropriations to meet existing claims and demands against the State," yesterday, the Clerk of the Assembly omitted to put in his message the following amendment, and having since corrected his message, that they had passed the same with the following further amendment:

Insert as section 6, the following:

Sec. 6. The sum of thirty thousand dollars or so much thereof as may be necessary, is hereby appropriated from the canal revenue of the present fiscal year, and assigned to the western division of the canals, to supply the deficiency in the existing appropriations for the ordinary repairs of the canals, and to provide for such contingencies as may arise during the present fiscal year in the repairs of breaks or other works beyond what the repair contractors are bound to do by their contracts. The above appropriation to supply deficiencies in existing appropriations.

Mr. Stanford moved to refer said amendment to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and to develop the resources thereof,' passed April 1863, and for the relief of the Adirondack Company, formed under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled 'An act to amend the charter of the American Tontine Life and Savings Insurance Company of the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act in relation to appeals from decisions of Canal Appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to aid in the construction of the New York and Oswego Midland railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to regulate fees for the examination of titles to property, real, personal and mixed, on which loans of money are made," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the act amendatory thereof, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed March 30, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to repeal an act to amend 'An act to provide for the incorporation of religious societies,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The bill entitled "An act to incorporate the city of Ogdensburgh," having been announced for a third reading,

Mr. Pierce moved to recommit said bill to the committee on municipal affairs, with instructions to amend by striking out in section 7, the words "second Wednesday in May" and inserting "second Tuesday in December."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Norton	Tweed	
Bradley	Genet	Morris	Pierce		9

## FOR THE NEGATIVE.

Campbell	Humphrey	Palmer	Stanford	Van Petten	
Folger	Nicks	Parker	Thayer	Williams	
Hale	O'Donnell				12

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	O'Donnell	Thayer	
Campbell	Folger	Humphrey	Palmer	Van Petten	
Chapman	Graham	Nichols	Parker	Williams	
Creamer	Hale	Nicks	Stanford		19

## FOR THE NEGATIVE.

Beach	Bradley	Norton	Pierce	Tweed	5
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream, in the village and town of Goshen," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nicks	Pierce	
Beach	Genet	Humphrey	Norton	Stanford	
Bradley	Graham	Morris	O'Donnell	Tweed	
Creamer	Hale	Nichols	Palmer	Williams	
Crowley					21

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hubbard	Norton	Parker	Thayer	
Beach	Humphrey	O'Donnell	Pierce	Tweed	
Chapman	Nichols	Palmer	Stanford	Williams	
Hale	Nicks				17

## FOR THE NEGATIVE.

Crowley	Folger				2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to enable the electors of the town of Lenox, Madison county, to vote by districts for town officers,' passed April 16, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Pierce
Beach	Folger	Humphrey	O'Donnell	Stanford
Campbell	Genet	Morris	Palmer	Thayer
Chapman	Hale	Nichols	Parker	Van Petten
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	O'Donnell	Stanford
Beach	Crowley	Hubbard	Palmer	Thayer
Campbell	Folger	Humphrey	Parker	Van Petten
Chapman	Genet	Nichols	Pierce	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Norton	Pierce
Beach	Folger	Hubbard	O'Donnell	Stanford
Bradley	Genet	Humphrey	Palmer	Thayer
Campbell	Graham	Morris	Parker	Tweed
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	O'Donnell	Stanford
Bradley	Genet	Morris	Palmer	Thayer

Campbell	Graham	Nichols	Parker	Tweed	
Chapman	Hale	Norton	Pierce	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the village of New Rochelle, in the county of Westchester, passed April 20, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Norton	Pierce	
Bradley	Folger	Humphrey	O'Donnell	Stanford	
Campbell	Genet	Morris	Palmer	Thayer	
Chapman	Hale	Nichols	Parker	Tweed	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the village of Greenport, Suffolk county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Parker	
Bradley	Folger	Hubbard	Norton	Stanford	
Campbell	Genet	Humphrey	O'Donnell	Thayer	
Chapman	Graham	Morris	Palmer	Tweed	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Free Will Baptist General Conference, of North America," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Norton	Pierce	
Bradley	Folger	Humphrey	O'Donnell	Stanford	
Campbell	Genet	Morris	Palmer	Thayer	
Chapman	Hale	Nichols	Parker		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Manhattan Express," having been announced for a third reading,

On motion of Mr. Banks and by unanimous consent, said bill was amended by striking out of section 7, the words, "to an amount equal to the amount of the stock owned by them."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	O'Donnell	Stanford
Beach	Creamer	Humphrey	Palmer	Thayer
Bradley	Folger	Morris	Parker	Tweed
Campbell	Genet	Nichols	Pierce	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the First Free Methodist Church in the city of Syracuse to elect trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Palmer	Stanford
Beach	Creamer	Morris	Parker	Thayer
Bradley	Genet	Nichols	Pierce	Tweed
Campbell	Hubbard	O'Donnell		

18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relative to changing the name of a society from the Benevolent Dramatic and Musical Association, to an Asylum for Aged and Infirm Hebrews," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Morris	O'Donnell	Pierce
Bradley	Hale	Nichols	Palmer	Thayer
Chapman	Hubbard	Nicks	Parker	Tweed
Creamer	Humphrey	Norton		

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to facilitate the construction of the Skaneateles railroad, and to regulate the weight of rails for the same,' passed April 18, 1866, and for the appointment of a railroad commissioner for the town of Skaneateles," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Norton	Parker
Beach	Creamer	Hubbard	O'Donnell	Pierce
Bradley	Genet	Morris	Palmer	Tweed
Campbell	Graham	Nichols		

18

## FOR THE NEGATIVE.

Crowley	Folger	Thayer
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8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize certain life insurance companies to make annual dividends," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Norton	Parker
Bradley	Folger	Hubbard	O'Donnell	Pierce
Campbell	Genet	Morris	Palmer	Thayer
Creamer	Graham	Nichols		

18

## FOR THE NEGATIVE.

Tweed 1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed offered the following resolution:

*Resolved*, That there be printed as heretofore, for the use of the respective societies, 3,500 copies of the report of the State Allopathic Medical Society, 2,500 copies of the report of the State Homœopathic Medical Society, and 1,000 copies of the report of the Eclectic Medical Society, for 1868.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Tweed offered the following resolution:

*Resolved*, That when the Senate adjourn to-day, it adjourn to meet on Tuesday morning, 31st instant, at 11 o'clock, and that the Senate hold evening sessions on Tuesday, Wednesday and Thursday evenings of next week, commencing at 7½ o'clock P. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Norton	Pierce
Beach	Crowley	Hubbard	Palmer	Thayer
Bradley	Folger	Nichols	Parker	Tweed
Chapman	Genet			

17

## FOR THE NEGATIVE.

Campbell Hale Morris O'Donnell 4

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the New York State Board of Trustees, auxiliary to the National Board of Trustees or Board of Regents of the American Printing House and University for the Blind," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the bill entitled "An act approving lines and grades established under authority of chapter 697 of Laws of 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the Mechanics' and Traders' Savings Institution," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Union Safe Deposit Company," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rail," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to election districts in the town of Walkill, Orange county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the common council of the city of Poughkeepsie to build sewers therein," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10th, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859," was recommitted to the committee on banks, with power to report complete.

Mr. Banks presented the 50th annual report of the Trustees of the New York State Library, which was laid on the table and ordered printed.

(See Doc. No. 83)

Mr. Banks offered the following resolution:

*Resolved*, That 1,000 copies of the annual report of the Trustees of the State Library, be printed for the use of the Library.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Stanford moved that the Assembly bill entitled "An act to authorize the Saratoga Gas Light Company to raise money to enlarge and change its works, by issuing bonds on preferred stock," be recommitted to the committee on municipal affairs, and retain its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate Excelsior Engine Company No. 3, of the village of Saratoga Springs, in the county of Saratoga," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to partnerships," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act in relation to the village of Monticello," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the town of Wilna, in the county of Jefferson, the town of Diana, in the county of

Lewis, and the town of Edwards, in the county of St. Lawrence, to issue bonds and subscribe and take for said towns capital stock in the Black River and St. Lawrence Railway Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to change the boundaries of the village of Sloanaville, Schoharie county, to enlarge the powers of the inhabitants thereof, amendatory of chapter 180 of Laws of 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the bill entitled "An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Hubbard offered the following resolution:

*Resolved*, That the committee on finance, be instructed to report immediately, for the consideration of the Senate, the bill to aid in the construction of the New York and Oswego Midland railroad.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Morris	O'Donnell	Stanford	
Bradley	Graham	Nichols	Palmer	Tweed	
Chapman	Hubbard				18

FOR THE NEGATIVE.

Campbell	Folger	Nicks	Palmer	Thayer	
Crowley	Humphrey	Norton			8

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to revive the charter of the Ithaca Savings Bank," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the following entitled bills, recommitted to the committee on roads and bridges, with power to report complete:

"An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton."

"An act authorizing the construction of a free bridge over the Susquehanna river, in Binghamton."

Mr. Folger moved to take from the table the motion to reconsider the vote agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act to incorporate the Fire Proof Warehousing Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Folger moved to disagree with the report of the committee upon said entitled bill, and that the same be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to confirm the election

of village officers of the village of Churchville, to confirm the acts of such officers, and to amend the charter of said village," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the Metropolitan Police law, concerning the Police Life Insurance Fund," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Crowley offered the following resolution:

*Resolved*, That Edward F. Underhill be and he is hereby appointed stenographer to the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	O'Donnell	Pierce
Beach	Crowley	Morris	Palmer	Stanford
Campbell	Graham	Nicks	Parker	Tweed
Chapman	Hale	Norton		

18

FOR THE NEGATIVE.

Bradley	Genet	Humphrey	Nichols	Thayer
Folger				

6

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to William Moody, and authorizing said Moody to convey the same," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Nichols offered the following preamble and resolution:

*Whereas*, A bill has been introduced into Congress, providing that a ship canal be constructed, as a military work, around the Falls of Niagara, in the State of New York, and that the Secretary of War construct said canal, and authorizing him to detail officers to superintend and direct the work, and to assign any portion of the army, not otherwise employed, to duty, for its construction, without the assent of the State; and whereas, it is recited in the preamble to said bill that the construction of such canal will afford great protection, in case of invasion or war with a foreign power, to the large cities upon, and the commerce of the northern lakes, and be of vast importance to the United States, in facilitating and increasing commerce between the States; and whereas, in the judgment of the Legislature of the State of New York, such canal would be useless as a military work, and would not, in case of invasion or war with a foreign power, be any protection to the large cities upon or the commerce of the northern lakes, or of any importance to the United States, in facilitating or increasing commerce between the States, but on the contrary, would work a great and permanent injury

to the commercial interests of this State, and materially retard its advancement, and its construction, in the manner proposed, would be a grave encroachment upon the sovereignty of this State; therefore,

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be and they are hereby requested to oppose the passage of said bill, and that His Excellency the Governor, be and he is hereby requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

*Ordered*, That said preamble and resolution be laid on the table.

On motion of Mr. Folger and by unanimous consent, the rules were suspended and the bill entitled "An act to incorporate the Fulton Savings Bank," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the bill entitled "An act to declare and establish the civil rights and status of the issue of certain intermarriages of Seneca Indians with white women," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the National Savings Bank, in the city of Albany," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Norton and by unanimous consent, the rules were suspended and the bill entitled "An act to incorporate the 'West Side Savings Bank,'" was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Union Foundry Company of Troy," was recommitted to the committee on manufactures, with power to report complete.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to change the name of the Second Presbyterian Church and Society of Watertown, to the Stone Street Presbyterian Church of Watertown,' passed April 1, 1865."

"An act to release to Catherine D. A. Wacker the title of this State, acquired by escheat, in and to certain land, and to confirm her title thereto."

"An act to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Potsdam,' passed March 26, 1859."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to incorporate the Buffalo Park."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Crowley, the Senate adjourned.

TUESDAY, MARCH 31, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mosher.

The journal of Saturday was read and approved.

Mr. O'Donnell presented a petition of inhabitants of Lewis county, relative to the Copenhagen and Turin Railroad Company, which was read and referred to the committee on railroads.

Mr. Hubbard presented a petition of 100 taxpayers, to incorporate the city of Rome, which was read and referred to the committee on municipal affairs.

Mr. Morris presented a petition of citizens on the route of the Dunkirk, Warren and Pittsburgh railroad, for an act to amend the act incorporating the same, which was read and referred to the committee on railroads.

Also, a remonstrance upon same subject, which was read and referred to the committee on railroads.

Mr. Graham presented a memorial against the passage of an act to compel legal notices to be published in one particular paper, which was read and referred to the committee on the judiciary.

Mr. Van Petten presented a petition of Waldo M. Tyler and others, of the town of Westford, Otsego county, for the repeal of chapter 440 of the Law of 1865, and to exempt said town from its operations, which was read and referred to the committee on the judiciary.

Mr. Murphy presented a remonstrance against Sacket Street Boulevard, in the city of Brooklyn, which was read and referred to the committee on municipal affairs.

Also, a petition of 392 citizens of Brooklyn, for permanent bridges over the Gowanus canal, which was read and referred to the committee on commerce and navigation.

Mr. Banks presented a remonstrance of property owners on Reservoir square, against building Free College on said square, which was read and referred to the committee on municipal affairs.

Mr. Folger presented a petition that no person may be director of the Hudson River railroad, Harlem railroad, and Erie railroad, at same time, which was read and referred to the committee on railroads.

Mr. Folger presented a petition of James W. Smith, for relief, which was read and referred to the committee on the judiciary.

Mr. Hubbard presented five petitions of citizens of Schoharie county, for State aid to the Albany and Susquehanna railroad, which were read and referred to the committee on finance.

Mr. Cauldwell presented a memorial of publishers of newspapers in New York, against the passage of bill to compel publication of notices in one paper, which was read and referred to the committee on the judiciary.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rails," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was recom-

mitted the Assembly bill entitled "An act to authorize the town of Wilna, in the county of Jefferson, the town of Diana, in the county of Lewis, and the town of Edwards, in the county of St. Lawrence, to issue bonds and subscribe and take for said towns, capital stock in the Black River and St. Lawrence Railway Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from a majority of the committee of the judiciary, to which was referred the bill entitled "An act in relation to appeals from decisions of Canal Appraisers," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 6 of the act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Union Safe Deposit Company, of New York city," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act in relation to partnerships and the use by new partnerships of the names of former partnerships," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Union Foundry Company, of Troy," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to William Moody, and authorizing said Moody to convey the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to provide for the draining of swamp lands in the town of Chili, in the county of Monroe," with power report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act approving lines and grades established under authority of chapter 697 of Laws of 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was



recommitted the bill entitled "An act to amend the Metropolitan Police law, concerning the Police Life Insurance Fund," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to confirm the election of village officers of the village of Churchville, to confirm the acts of such officers and to amend the charter of said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to change the boundaries of the village of Sloansville, Schoharie county, to enlarge the powers of the inhabitants thereof; amendatory of chapter 180 of Laws of 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act in relation to the village of Monticello," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10th, 1867,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate Excelsior Engine Company No. 3, of the village of Saratoga Springs, in the county of Saratoga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act authorizing the construction of a free bridge over the Susquehanna river in Binghamton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29th, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to aid in the construction of the New York and Oswego and Midland railroad," reported by direction of the Senate, the same to the Senate for consideration, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate Excelsior Temple of Honor No. 23, of the city of Albany," reported in favor of the

passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act relating to the Lutheran Cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran Church, in said town,' passed March 26, 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the New York State Board of Trustees, auxiliary to the National Board of Trustees or Board of Regents of the American Printing House and University for the Blind," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to revive the charter of the Ithaca Savings Bank," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mechanics' and Traders' Savings Institution,' passed April 16, 1852, and an act to amend the same, passed March 19, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes in relation to the transfer and trial of indictments," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and Westchester."

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to authorize the city of Buffalo, and The Charity Foundation of the Protestant Episcopal Church in the city of Buffalo, to exchange lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to incorporate the Cornwall Suspension Bridge Company, for the purpose of constructing and maintaining a sus-

pension bridge, appurtenances and approaches to the same over the Hudson river, at a point or points at or below Butter Kill, in the Highlands, to some proper point opposite thereto on the east side of said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on Hudson river, to Cohecton, on the Delaware river,' passed March 20, 1801; and in relation to toll gates and tolls upon the turnpike road of said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act authorizing the owners of the bulkhead between Watts street and Desbrosses street, in the city of New York, to erect piers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the Working Women's Protective Union," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend chapter 823 of the Laws of 1866, entitled 'An act relating to the Nassau Railroad Company, in the city of Brooklyn,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to provide for the more effectual protection of the public health and for the completion of the Quarantine establishment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The bill entitled "An act for the further extension of Prospect Park, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Campbell	Genet	Morgan	Norton	Tweed
Cauldwell	Graham	Morris	O'Donnell	Van Petten
Crowley	Hale	Murphy	Parker	Williams
Edwards	Hubbard			

23

*Ordered.* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the International Dock Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy	Parker	
Cauldwell	Graham	Morgan	Norton	Tweed	10

FOR THE NEGATIVE.

Banks	Folger	Nichols	Stanford	Van Potten	
Campbell	Hale	O'Donnell	Thayer	Williams	
Crowley	Kennedy				12

Mr. Murphy moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act releasing to Mary McGrau all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Thayer	
Beach	Graham	Morris	O'Donnell	Tweed	
Campbell	Hale	Murphy	Parker	Van Potten	
Cauldwell	Hubbard	Nichols	Stanford	Williams	
Crowley	Kennedy				22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Parker	
Beach	Edwards	Kennedy	Nichols	Stanford	
Campbell	Graham	Morgan	O'Donnell	Thayer	
Cauldwell	Hale				17

FOR THE NEGATIVE.

Folger					1
--------	--	--	--	--	---

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Thayer
Campbell	Graham	Morris	Paimor	Tweed
Cauldwell	Hale	Nichols	Parker	Van Petten
Crowley	Hubbard	Nicks	Stanford	Williams
Edwards	Kennedy			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize certain acts of the trustees of school district No. 14, of Schroepel and Volney," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Stanford
Beach	Genot	Kennedy	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Williams

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the sale and conveyance of a portion of the site of the Central School of the Union Free School District No. 1, of the town of Ellicott," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Norton	Stanford
Campbell	Graham	Morris	O'Donnell	Thayer
Cauldwell	Hale	Nichols	Palmer	Tweed
Edwards	Hubbard	Nicks	Parker	Williams
Folger	Kennedy			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly sent for concurrence the bill entitled as follows:

"An act to authorize the trustees of the Hamilton Union Presbyterian Church, of Guilderland, Albany county, to sell their parsonage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assombly returned the bill entitled "An act to incorporate the Corcoran Irish Legion Association in the city of New York," pursuant to a resolution of the Senate.

Mr. Folger moved to reconsider the vote agreeing to the report of the committee on the judiciary, adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee on the judiciary, with power to report complete.

The Assembly bill entitled "An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect three trustees in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Morgan	Norton	Stanford
Beach	Genet	Morris	O'Donnell	Thayer
Campbell	Graham	Nichols	Palmer	Van Patten
Cauldwell	Hubbard	Nicks	Parker	Williams
Crowley	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the St. Lawrence University and Theological Seminary,' passed April 3, 1856, by changing the manner of electing the trustees thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Parker
Campbell	Genet	Morgan	Norton	Stanford
Cauldwell	Graham	Morris	O'Donnell	Williams
Crowley	Hubbard	Murphy	Palmer	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to revise the charter of the city of Auburn," having been announced for a third reading,

On motion of Mr. Williams and by unanimous consent, said bill was amended as follows:

The references are to printed bill.

In line 5, section 2, change "to" to "of."

In line 3, section 17, strike out word "annual."

In line 37, page 12, change "said" to "such."

Page 15, line 144, sub. 45, before "seal" insert "hand and."

Page 20, section 48, line 16, change "reviling" to "reveling."

Page 22, section 49, line 3, change "and" to "or."

Page 23, section 49, line 20, change "of" to "and."

Page 24, section 50, line 33, change "of" to "and."

Page 28, section 54, line 18, change "taxpayer" to "tax receiver."

Page 29, section 57, line 3, strike out "in said city" and "common" and all of line 4, and insert "supervisors of Cayuga county, in the same manner as if such expenses had been incurred in any town of said county."

Page 31, section 61, line 12, strike out "common council of said city," and insert "board of supervisors of the county of Cayuga."

Page 43, line 7 of section 8, change "removal" to "renewal."

Page 47, section 99, line 5, strike out "interested in such assessment" and insert instead "affected by such correction."

Page 50, section 101, line 2, change "for" to "from."

Page 51, section 103, line 16, after "year" insert "may."

Page 52, section 106, line 20, change "on" to "in."

Page 54, section 107, line 15, change "prescribe" to "subscribe."

Page 54, section 107, line 23, after "courses" change "of" to "or."

Page 56, section 111, line 7, after "upon" insert "the."

Page 57, section 113, line 5, change "length" to "height."

Page 57, section 114, line 9, change "eight" to "six."

Page 58, section 116, line 10, after "lot" insert "or lots."

Page 58, section 116, line 15, change "120" to "118," and "121" to "120."

Page 62, section 127, line 1, change "clerk" to "court."

Page 66, section 132, line 23, strike out "one."

Page 67, section 133, line 6, before "publication" insert "first."

Page 73, section 145, line 13, change "point" to "front."

Page 74, section 145, line 26, change "place" to "parcel."

Page 77, section 155, line 6, change "thereunto" to "thereunder."

Page 80, section 161, line 13, change "land" to "lane."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Beach	Folger	Morgan	O'Donnell	Thayer
Campbell	Genet	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Nichols	Parker	Williams
Crowley	Humphrey			

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly sent for concurrence, the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Mohawk, in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Stanford and by unanimous consent, the rule was suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Nichols	Parker
Beach	Folger	Hubbard	Nicks	Stanford
Campbell	Genet	Kennedy	Norton	Tweed
Cauldwell	Graham	Morris	O'Donnell	Williams

20

By unanimous consent, the rule was suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate have passed the same, without amendment.

Mr. Morris moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the char-

ter of 'The Union Gold Mining Company of Colorado,'" and that the same be recommitted to the committee on the judiciary, retaining its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved that at 12 o'clock and 45 minutes, the Senate take a recess for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Williams and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the resident trustees of Genoa academy to sell, transfer and convey to the trustees of school district No. 6, of the town of Genoa the grounds, buildings, library and school apparatus belonging to said academy," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate Empire Engine and Eagle Hose Company No. 4, of the city of Utica," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the commissioners of highways of the town of Lowville to borrow money," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. O'Donnell offered the following resolution:

*Resolved*, That the State Engineer and Surveyor be directed to measure the excavation made under the direction of the Capitol Commissioners for the new Capitol, and to report the number of yards excavated to the Senate.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the village of Canastota and the towns of Cazenovia and Fenner, in the county of Madison, to issue bonds and take stock in the Cazenovia and Canastota Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to change the title of the New York Woman's Infirmary Association," was recommitted to the committee on medical colleges and societies, with power to report complete.

Mr. Parker offered the following resolution:

*Resolved*, That all bills now in committee of the whole granting State aid to railroads, be made a special order for to-morrow evening, at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Nichols	Thayer	
Cauldwell	Humphrey	Morris	Parker	Williams	
Crowley	Kennedy				12

## FOR THE NEGATIVE.

Bradley	Folger	Murphy	Norton	Tweed	
Campbell	Genet	Nicks	Stanford	Van Petten	
Edwards	Hubbard				12

Mr. Parker moved to take from the table the motion to reconsider the vote disagreeing with the committee of the whole upon the bill entitled "An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce	
Beach	Genet	Humphrey	Nichols	Stanford	
Bradley	Graham	Kennedy	Norton	Tweed	
Cauldwell	Hale	Morgan	Parker	Van Petten	20

## FOR THE NEGATIVE.

Campbell	Folger	Nicks	O'Donnell	Thayer	
Crowley	Murphy				7

The President then put the question whether the Senate would agree to the report of the committee of the whole, on said entitled bill, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Norton	Stanford	
Cauldwell	Graham	Mattoon	Parker	Tweed	
Chapman	Hubbard	Morgan	Pierce	Van Petten	
Edwards	Humphrey				27

## FOR THE NEGATIVE.

Campbell	Hale	Murphy	Nicks	Thayer	
Crowley	Morris	Nichols	O'Donnell	Williams	
Folger					11

*Ordered,* That said bill be engrossed for a third reading.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to make the town of Providence a part of the first school commissioner's district of Saratoga county," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the Passenger and Transit Company," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the board of trade of the city of Troy," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Norton offered the following resolution:

*Resolved,* (if the Assembly concur,) That the bill entitled "An act to provide for the more effectual protection of the public health, and for the

completion of the quarantine establishment," be referred to a joint committee, comprising the committees of the Senate and Assembly, on public health, and on commerce and navigation, and that they be requested, without delay, to confer and perfect a bill which shall furnish such facilities for quarantine as may afford the most ample protection to commerce, to public health, and emigration.

*Ordered*, That said resolution be laid upon the table.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Yonkers and Alpine Ferry Company," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to extend the operation of chapter 448 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor, to the counties of Dutchess, Putnam, Westchester and Orange," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Murphy offered the following resolution:

*Resolved*, (if the Assembly concur,) That a joint convention of the Senate and Assembly, be held on Tuesday next, at 12 o'clock at noon, in the Assembly chamber, for the purpose of electing a State Superintendent of Public Instruction.

*\*Ordered*, That said resolution be laid on the table.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act further to amend the charter of 'The Church Charity Foundation' of the county of Kings, and to extend the territorial limits thereof," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to regulate, grade and pave Graham avenue and Eckford street, in the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of town auditors to cause a survey and map to be made of the town of Flushing, in Queens county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act enti-

tled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Rochester Waterworks Company,' passed April 16, 1852, to increase the capital stock, and authorizing the city of Rochester to aid in the construction of said works, pursuant to section 26 of said act,' passed March 26, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act relative to the Metropolitan District of the State of New York, and to provide excise regulations therefor," reported adversely thereto, which report was agreed to.

Mr. Tweed moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The question being upon agreeing to the report of the committee,

Mr. Tweed stated his dissent from the report of the majority, and moved to lay the question of agreeing to said report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the several State Medical Societies, reported in favor of the adoption of the following resolution:

*Resolved*, That there be printed as heretofore, for the use of the respective societies, 3,500 copies of the report of the State Allopathic Medical Society, 2,500 copies of the report of the State Homœopathic Medical Society, and 1,000 copies of the report of the Eclectic Medical Society, for 1868.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Trustees of the New York State Library, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,000 copies of the annual report of the Trustees of the New York State Library, be printed for the use of the Library.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The hour of 12:45 having arrived, the Senate took a recess until 1 o'clock P. M.

## ONE O'CLOCK, P. M.

The Senate again met.

Mr. Morgan offered the following resolution:

*Resolved*, That the bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of the Wadsworth Normal and Training School, located in that village," be recommitted to the committee on municipal affairs, without losing its place on the calendar.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Bradley moved to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Banks	Beach	Graham	Thayer		4
FOR THE NEGATIVE.					
Campbell	Folger	Kennedy	Nichols	Parker	
Cauldwell	Genet	Mattoon	Nicks	Pierce	
Chapman	Hale	Morgan	Norton	Stanford	
Crowley	Hubbard	Morris	O'Donnell	Tweed	
Edwards	Humphrey	Murphy	Palmer	Van Petten	25

On motion of Mr. Hale, the Senate took a recess until 7½ o'clock P. M.

### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to construct Sheepshead Bay avenue, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend section 2 of chapter 156 of the Laws of 1857, authorizing the Malone Waterworks Company to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the town of Watervliet, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend the charter of the North River Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to widen South Seventh street and part of South Sixth street, in the city of Brooklyn, and to regulate, grade and pave the same,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the act amendatory thereto, passed April 12, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the payment of Peter Voorhees and James L. Voorhees for damages sustained by them in the draining of the Cayuga marshes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the board of education of Union Free School District No. 1, of the town of Kingsbury, to borrow money to build a school house in said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the Genesee college to change its location," which was read the first time, and by unanimous consent was also read the second time.

Mr. Humphrey moved to refer said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Parker	
Campbell	Crowley	Morgan	Nicks	Stanford	
Cauldwell	Edwards				12

FOR THE NEGATIVE.

Hale	Kennedy	Pierce	Thayer	Tweed	
Hubbard	Mattoon				7

On motion of Mr. Murphy and by unanimous consent, the rules were suspended and the bill entitled "An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, to be located in the city of Brooklyn,' passed April 24, 1867," was recommitted to the committee on banks, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the bill entitled "An act to amend 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Beach and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Plattekill Clove Turnpike Road Company," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Parker offered the following resolution:

*Resolved*, That the consideration of all bills now pending before the Senate, providing for or granting State aid to railroads, be postponed until Saturday the 9th day of May next.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	Morris	O'Donnell	
Crowley	Genet	Morgan	Nichols	Parker	
Edwards	Humphrey				12

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer	
Beach	Graham	Mattoon	Pierce	Tweed	
Bradley	Hale	Murphy	Stanford	Williams	
Cauldwell					16

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act relative to writs of prohibition."

"An act for the relief of the city of Rochester."

"An act to incorporate the New York City Central Underground Rail-

way Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Bradley, from the same committee, reported progress on the second named bill, and asked leave to sit again.

Mr. Parker moved to disagree with the report of the committee of the whole, and that said bill be ordered engrossed for a third reading.

Mr. Genet moved to lay said motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					6
Beach	Genet	Hubbard	Morris	Tweed	
Folger					
FOR THE NEGATIVE.					21
Bradley	Edwards	Mattoon	Nicks	Pierce	
Campbell	Hale	Morgan	Norton	Stanford	
Cauldwell	Humphrey	Murphy	O'Donnell	Van Petten	
Chapman	Kennedy	Nichols	Parker	Williams	
Creamer					

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.					16
Bradley	Creamer	Mattoon	Norton	Tweed	
Campbell	Edwards	Morgan	Parker	Van Petten	
Cauldwell	Hale	Nichols	Pierce	Williams	
Chapman					
FOR THE NEGATIVE.					12
Beach	Genet	Kennedy	Murphy	O'Donnell	
Crowley	Hubbard	Morris	Nicks	Stanford	
Folger	Humphrey				

*Ordered,* That said bill be engrossed for a third reading.

Mr. Bradley, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to provide for draining certain swamp lands in the town of New Rochelle, in the county of Westchester."

*Ordered,* That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had non-concurred in the passage of the same:

"An act providing for the payment of certain taxes and assessments upon property of railroad companies, situated in the Cattaraugus and Allegany Reservations, to the county judge of Cattaraugus county, for educational purposes."

The Assembly returned the bill entitled as follows:

"An act to authorize the trustees of the village of Warsaw, to lay out, open, alter, widen, repair and improve highways, public grounds and parks in said village."

*Ordered,* That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to incorporate the Catskill Savings Bank."

*Ordered,* That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the village of Cobleskill, Schoharie county."

"An act to amend the charter of the village of New Rochelle, in the county of Westchester, passed April 20, 1864."

"An act to incorporate the Niagara Waterworks Company."

*Ordered*, That the Clerk return said bills to the Assembly.

On motion of Mr. Williams, the Senate adjourned.

### WEDNESDAY, APRIL 1, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Union Foundry company, of Troy."

"An act authorizing the construction of a free bridge over the Susquehanna river in Binghamton."

"An act approving lines and grades established under authority of chapter 697 of Laws of 1867."

"An act to amend section 8 of chapter 463 of the Laws of 1858, in relation to corporations in the city of New York, in relation to life and health insurance companies therein."

"An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same."

"An act in relation to partnerships and the use by new partnerships of the names of former partnerships."

"An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rail."

"An act to incorporate the Union Safe Deposit Company of New York city."

"An act relative to writs of prohibition."

"An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton."

"An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866."

"An act to amend the Metropolitan Police law, concerning the Police Life Insurance Fund."

"An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

"An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859."

"An act to incorporate the New York State Board of Trustees, auxiliary to the National Board of Trustees or Board of Regents of the American Printing House and University for the Blind."

"An act for the relief of the city of Rochester."

Pursuant to the 9th joint rule, the President announced the order of business of third reading of bills.

The bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Nicks	Stanford	
Beach	Crowley	Hale	Norton	Thayer	
Campbell	Edwards	Hubbard	Parker	Van Petten	
Cauldwell	Folger	Morris	Pierce	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rail," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Stanford	
Bradley	Folger	Kennedy	Norton	Tweed	
Campbell	Genet	Morgan	O'Donnell	Van Petten	
Chapman	Graham	Morris	Parker	Williams	
Creamer	Hale	Nichols	Pierce		24

## FOR THE NEGATIVE.

Thayer	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the town of Wilna, in the county of Jefferson, the town of Diana, in the county of Lewis, and the town of Edwards, in the county of St. Lawrence, to issue bonds and subscribe and take for said towns capital stock in the Black River and St. Lawrence Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Norton	Thayer	
Bradley	Edwards	Hubbard	Parker	Tweed	
Campbell	Genet	Morgan	Pierce	Van Petten	
Cauldwell	Graham	Morris	Stanford	Williams	20

## FOR THE NEGATIVE.

Banks	Chapman	Folger	Nichols	Nicks	5
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Murphy moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to incorporate the International Dock Company."



The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Beach	Graham	Morris	Parker	Tweed
Bradley	Hale	Murphy	Pierce	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Creamer	Humphrey			

22

## FOR THE NEGATIVE.

Chapman

1

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Beach	Humphrey	Morris	Murphy	Pierce
Bradley	Graham	Kennedy	Nichols	Tweed
Cauldwell	Hale	Mattoon		Van Petten

20

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Union Safe Deposit Company of New York city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE

Banks	Edwards	Humphrey	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Stanford
Bradley	Graham	Morgan	Nicks	Thayer
Cauldwell	Hale	Morris	Norton	Van Petten
Chapman	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to partnerships and the use by new partnerships of the names of former partnerships," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Norton
Beach	Folger	Kennedy	Murphy	Stanford
Bradley	Graham	Mattoon	Nichols	Van Petten
Campbell	Hale	Morgan	Nicks	Williams

20

## FOR THE NEGATIVE.

Chapman

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to incorporate the Union Foundry Company of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Stanford
Beach	Crowley	Kennedy	Norton	Thayer
Bradley	Folger	Morgan	Parker	Van Petten
Campbell	Graham	Murphy	Pierce	Williams
Cauldwell				

21

Mr. Thayer moved to reconsider the vote on the passage of said bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nicks	Thayer
Beach	Chapman	Hale	Norton	Van Petten
Bradley	Crowley	Humphrey	Parker	Williams
Campbell	Folger	Morgan	Stanford	

19

On motion of Mr. Thayer, said bill was recommitted to the committee on the judiciary, retaining its place in order of third reading of bills.

The Assembly bill entitled "An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Morgan	Norton	Thayer
Campbell	Genet	Morris	Parker	Van Petten
Cauldwell	Graham	Murphy		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the common council of the city Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Beach	Creamer	Mattoon	Nicks	Thayer
Bradley	Crowley	Morgan	Norton	Van Petten
Campbell	Folger	Morris	Parker	Williams
Cauldwell	Hubbard	Murphy	Pierce	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Beach	Graham	Morris	Parker	Tweed
Bradley	Hale	Murphy	Pierce	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Creamer	Humphrey			

22

## FOR THE NEGATIVE.

Chapman

1

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Beach	Edwards	Humphrey	Morris	Pierce
Bradley	Graham	Kennedy	Murphy	Tweed
Cauldwell	Hale	Mattoon	Nichols	Van Petten

20

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Union Safe Deposit Company of New York city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE

Banks	Edwards	Humphrey	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Stanford
Bradley	Graham	Morgan	Nicks	Thayer
Cauldwell	Hale	Morris	Norton	Van Petten
Chapman	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to partnerships and the use by new partnerships of the names of former partnerships," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Norton
Beach	Folger	Kennedy	Murphy	Stanford
Bradley	Graham	Mattoon	Nichols	Van Petten
Campbell	Hale	Morgan	Nicks	Williams

20

## FOR THE NEGATIVE.

Chapman

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to incorporate the Union Foundry Company of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Stanford
Beach	Crowley	Kennedy	Norton	Thayer
Bradley	Folger	Morgan	Parker	Van Petten
Campbell	Graham	Murphy	Pierce	Williams
Cauldwell				21

Mr. Thayer moved to reconsider the vote on the passage of said bill.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nicks	Thayer
Beach	Chapman	Hale	Norton	Van Petten
Bradley	Crowley	Humphrey	Parker	Williams
Campbell	Folger	Morgan	Stanford	19

On motion of Mr. Thayer, said bill was recommitted to the committee on the judiciary, retaining its place in order of third reading of bills.

The Assembly bill entitled "An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Bradley	Edwards	Morgan	Norton	Thayer
Campbell	Genet	Morris	Parker	Van Petten
Cauldwell	Graham	Murphy		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the common council of the city Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Beach	Creamer	Mattoon	Nicks	Thayer
Bradley	Crowley	Morgan	Norton	Van Petten
Campbell	Folger	Morris	Parker	Williams
Cauldwell	Hubbard	Murphy	Pierce	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the Metropolitan Police law, concerning the Police Life Insurance Fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Nichols	Stanford
Campbell	Edwards	Kennedy	Norton	Thayer
Cauldwell	Folger	Morgan	Parker	Van Petten
Chapman	Graham	Murphy	Pierce	Williams
Creamer	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the election of village officers in the village of Churchville, to confirm the acts of such officers, and to amend the charter of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Stanford
Beach	Crowley	Humphrey	Nichols	Thayer
Bradley	Edwards	Kennedy	Norton	Van Petten
Campbell	Folger	Morgan	Parker	Williams
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend section 8, of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies," having been announced for a third reading,

On motion of Mr. Parker and by unanimous consent, said bill was amended by inserting in section 1, line 7, after the word "on" the word "unincumbered."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Norton	Stanford
Beach	Creamer	Humphrey	Parker	Tweed
Bradley	Edwards	Kennedy	Pierce	Van Petten
Cauldwell	Genet	Morgan		

18

## FOR THE NEGATIVE.

Campbell	Folger	Murphy	O'Donnell	Williams
Crowley	Morris	Nichols	Thayer	

9

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate Excelsior Engine Company No. 3, of the village of Saratoga Springs, in the county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Nichols	Parker	
Beach	Edwards	Kennedy	Norton	Thayer	
Bradley	Genet	Morgan	O'Donnell	Van Petten	
Campbell	Graham	Morris			18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the village of Monticello," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Parker	
Beach	Chapman	Hubbard	Nichols	Stanford	
Bradley	Crowley	Humphrey	Nicks	Tweed	
Campbell	Edwards	Morgan	O'Donnell	Van Petten	20

FOR THE NEGATIVE.

Folger	Hale				2
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Mr. Hale moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Parker	
Beach	Crowley	Hale	Nichols	Stanford	
Bradley	Folger	Kennedy	Nicks	Thayer	
Campbell	Genet	Morgan	O'Donnell	Tweed	
Cauldwell					21

Mr. Parker moved to recommit said bill to the committee on municipal affairs, to retain its place on third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Murphy	Stanford	
Beach	Edwards	Kennedy	Nichols	Thayer	
Bradley	Folger	Morgan	Nicks	Van Petten	
Campbell	Graham	Morris	Parker	Williams	
Chapman	Hubbard				22

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to change the boundaries of the village of Sloansville, Schoharie county, to enlarge the powers of the inhabitants thereof; amendatory of chapter 180 of Laws of 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Murphy	Tweed
Bradley	Hale	Mattoon	Nicks	Van Petten
Chapman	Hubbard	Morgan	Parker	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

The Bill entitled "An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Nichols	Pierce
Beach	Creamer	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	Norton	Thayer
Campbell	Graham	Morgan	Parker	

19

FOR THE NEGATIVE.

Chapman	
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1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to repeal the third section of the act entitled 'An act to amend the charter of the Schoharie Kill Bridge Company,' passed March 29, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Beach	Folger	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Creamer				

26

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Morgan	Parker	Tweed
Campbell	Graham	Nichols	Pierce	Van Petten
Cauldwell	Hale	Norton	Thayer	Williams
Creamer	Mattoon			

17

## FOR THE NEGATIVE.

Beach	Folger	Hubbard	Murphy	O'Donnell
Chapman	Genet	Kennedy	Nicks	Stanford
Crowley				

11

Mr. Beach moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nicks	Stanford
Creamer	Genet	Murphy	O'Donnell	Van Petten

10

## FOR THE NEGATIVE.

Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Hale	Morris	Pierce	Williams
Chapman	Kennedy	Nichols		

18

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nicks	Stanford
Crowley	Genet	Murphy	O'Donnell	

9

## FOR THE NEGATIVE.

Bradley	Creamer	Mattoon	Norton	Thayer
Campbell	Edwards	Morgan	Parker	Tweed
Cauldwell	Hale	Morris	Pierce	Van Petten
Chapman	Kennedy	Nichols		

18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the construction of a free bridge over the Susquehanna river in Binghamton," having been announced for a third reading.

Mr. Chapman moved to recommit said bill to the committee on roads and bridges, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton," having been announced for a third reading,

Mr. Chapman moved to recommit said bill to the committee on roads and bridges, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the New York State Board of



Trustees, auxiliary to the National Board of Trustees or Board of Regents of the American Printing House and University for the Blind," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Tweed
Chapman	Hubbard	Morgan	Norton	Van Petten
Creamer	Humphrey	Morris	Parker	Williams
Edwards	Kennedy	Nichols	Pierce	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to revive the charter of the Ithaca Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	O'Donnell	Thayer
Beach	Genet	Morris	Parker	Tweed
Bradley	Kennedy	Nichols	Pierce	Van Petten
Campbell	Mattoon	Nicks	Stanford	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mechanics' and Traders' Savings Institution,' passed April 16, 1852, and an act to amend the same,' passed March 19, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Stanford
Beach	Edwards	Kennedy	Nicks	Van Petten
Bradley	Folger	Mattoon	O'Donnell	Williams
Campbell	Hubbard	Morris	Parker	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to William Moody, and authorizing said Moody to convey the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Humphrey	Nicks	Thayer

Campbell	Folger	Kennedy	Norton	Tweed
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Chapman	Hale	Morris	Parker	Williams 25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act relative to writs of prohibition," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Crowley	Humphrey	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Pierce	19

## FOR THE NEGATIVE.

Beach	Creamer	Norton	Stanford	Williams
Chapman				6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Thayer presented a remonstrance of citizens of Troy, against repeal of act to regulate use of certain slips in the East river, which was read and referred to the committee on commerce and navigation.

Also a remonstrance of James Gibson, and other supervisors of Washington county, against passage of bill to change location of county buildings, which was read and referred to the committee on the judiciary.

Mr. Van Petten presented four petitions of citizens of Otsego county, for State aid to the Albany and Susquehanna railroad, which were read and referred to the committee of the whole.

Mr. Hale presented a remonstrance of citizens of Tompkins county, against dividing said county into two school commissioners districts, which was read and referred to the committee on literature.

Mr. Beach presented three petitions of citizens of Athens, for the passage of an act to facilitate the construction of the West Shore Hudson River railroad, which were read and referred to the committee of the whole.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act further to amend the charter of 'The Church Charity Foundation' of the county of Kings, and to extend the territorial limits thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to change the title of the New York Woman's Infirmary Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the committee on banks, to which was referred the bill entitled "An act to incorporate 'The Park Savings Bank,' of Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the first

day of October, 1868, and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to confer jurisdiction on the Canal Board to open and adjust the final account for contract work on section 364 of the Erie canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act in relation to election districts in the town of Wallkill, Orange county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the board of town auditors to cause a survey and map to be made of the town of Flushing, in Queens county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act to extend the operation of chapter 448 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor,' to the counties of Dutchess, Putnam, Westchester and Orange," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the city of Buffalo to borrow money and to subscribe to the capital stock of the Buffalo and Washington Railway Company," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Buffalo and Washington Railway Company, to obtain title to lands," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to authorize the village of Canastota, and the towns of Cazenovia and Fenner, in the county of Madison, to issue bonds, and take stock in the Cazenovia and Canastota Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Genet, from a majority of the committee on railroads, to which was referred the bill entitled "An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from a majority of the committee on railroads, to which was referred the bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church in the diocese of Western New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the board of trade of the city of Troy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Union Foundry Company of Troy," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend chapter 353 of the Laws of 1862, relative to the Ten Broeck Free Academy, in the county of Cattaraugus," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to make the town of Providence a part of the first school commissioner's district of Saratoga county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recom-

mitted the Assembly bill entitled "An act to authorize the resident trustees of Genoa Academy to sell, transfer and convey to the trustees of school district No. 6, of the town of Genoa, the grounds, buildings, library and school apparatus belonging to said academy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the city of Schenectady to purchase an additional steam fire engine," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to the police and fire department of the city of Syracuse," reported in favor of the passage of the same, with amendments.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of C. H. Dubois and others, for the passage of an act appointing commissioners to repave and improve Union street, between Hamilton avenue and the Gowanus canal, aforesaid, reported by bill entitled "An act authorizing the repaving and improving of Union street from Columbia street to Gowanus canal, in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Newark,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act authorizing the common council of the city of Poughkeepsie to build sewers therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of 'The Wadsworth Normal and Training School,' located in that village," reported in favor of the passage of the same.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the Passenger Transit Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend section 2 of chapter 156 of the Laws of 1857, authorizing the Malone Waterworks Com-

pany to increase its capital stock," reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to regulate, grade and pave Graham avenue, Van Cott avenue, and Eckford street, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate Empire Engine and Eagle Hose Company No. 4, of the city of Utica," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to enable the commissioners of highways of the town of Lowville to borrow money," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers, to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to incorporate the Plattekill Clove Turnpike Road Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal chapter 958 of the Laws of 1867, entitled 'An act to amend chapter 255 of the Laws of 1857, entitled 'An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Os-

sining, ' passed April 6, 1857,' " reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to incorporate the Yonkers and Alpine Ferry Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Sacandaga Boom Company, and to authorize said company to erect piers and construct booms across the Sacandaga river, in the town of Northhampton, county of Fulton," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on banks, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, to be located in the city of Brooklyn,' passed April 24, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from a majority of the select committee appointed to investigate the affairs of the Erie Railroad Company, submitted a report in writing, which was laid on the table and ordered printed.

(See Doc. No. 67.)

Mr. Chapman, from the minority of said committee, also submitted a report in writing, and a bill accompanying the same, which was laid on the table and ordered printed.

(See Doc. No. 67.)

Mr. Tweed moved to take from the table the report of the majority of the committee on internal affairs of towns and counties, adverse to the Assembly bill entitled "An act relative to the Metropolitan District of the State of New York, and to provide excise regulations therefor," together with the dissent of the minority of said committee therefrom.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Murphy moved to recommit said bill to the committee on internal affairs of towns and counties, with instructions to report the following amendments to the same:

1. The licenses to be granted under such act shall be charged with the following fees:

For the sale of malt liquors and wines, only thirty dollars.

For the sale of malt and spirituous liquors and wines, otherwise than in hotels having more than fifty lodging or sleeping rooms, fifty dollars.

For the sale of malt and spirituous liquors and wines, in hotels having one hundred or more lodging or sleeping rooms, two hundred and fifty

dollars; in hotels having seventy-five and less than one hundred lodging or sleeping rooms, one hundred and fifty dollars; in hotels having fifty and less than seventy-five sleeping or lodging rooms, one hundred dollars.

2. The hours between which the places licensed shall be closed shall be between the hours of 1 o'clock and 4 o'clock in the morning.

3. All provisions of the said act authorizing the arrest of persons without warrant duly issued by a magistrate, except for drunkenness, or authorizing the closing of places licensed against the ingress or egress of the inmates thereof, or other persons, at any time, shall be repealed.

The President put the question whether the Senate would agree to said motion of Mr. Murphy, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Tweed	
Bradley	Edwards	Morris	Norton		14

## FOR THE NEGATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer	
Chapman	Humphrey	Morgan	Parker	Van Petten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger					16

The President then put the question whether the Senate would agree to the report of the committee upon said bill, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer	
Chapman	Humphrey	Morgan	Parker	Van Petten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger					16

## FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Tweed	
Bradley	Edwards	Morris	Norton		14

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Genet moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Murphy	Pierce	Thayer	
Cauldwell	Hubbard	Norton	Stanford	Tweed	
Creamer					11

## FOR THE NEGATIVE.

Banks	Crowley	Humphrey	Morris	Parker	
Beach	Folger	Kennedy	Nichols	Van Petten	
Campbell	Graham	Mattoon	Nicks	Williams	
Chapman	Hale	Morgan	O'Donnell		19

Mr. Chapman moved to take from the table the bill reported by the minority of the committee appointed to investigate the affairs of the Erie Railway Company; and also the resolution reported by the majority of said committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:



## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Folger	Kennedy	Nichols	Thayer
Campbell	Graham	Mattoon	Nicks	Van Petten
Chapman	Hale	Morgan	O'Donnell	Williams
Crowley				

21

## FOR THE NEGATIVE.

Cauldwell	Hubbard	Norton	Stanford	Tweed
Genet	Murphy	Pierce		

8

Mr. Chapman moved that said resolution be referred to the committee of the whole.

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Murphy	Stanford
Cauldwell	Genet	Morgan	Pierce	Thayer
Creamer				

11

## FOR THE NEGATIVE.

Banks	Crowley	Humphrey	Nichols	Tweed
Beach	Folger	Kennedy	Nicks	Van Petten
Campbell	Graham	Mattoon	O'Donnell	Williams
Chapman	Hale	Morris	Parker	

19

Mr. Folger called for a division of the question upon said resolution, and that the question be first taken upon that part thereof which reads as follows:

*"Resolved, That the frauds and abuses developed by the investigation of the management of the present directors and officers of the Erie Railway Company, demand that increased penalties for such offences shall be imposed for the protection of stockholders and the community."*

Mr. Norton moved to take a recess until 7½ o'clock P. M.

The President put the question whether the Senate would agree to said motion to take a recess, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Hubbard	Norton	Thayer
Cauldwell	Edwards	Mattoon	Pierce	Tweed
Creamer	Genet	Murphy		

18

## FOR THE NEGATIVE.

Banks	Folger	Humphrey	Morris	Parker
Beach	Graham	Kennedy	Nichols	Van Petten
Campbell	Hale	Morgan	Nicks	Williams
Chapman				

16

The President then put the question whether the Senate would agree to said motion of Mr. Folger, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Nichols	Pierce
Cauldwell	Crowley	Hubbard	Norton	Thayer
Chapman	Edwards	Morris	Parker	Tweed

15

## FOR THE NEGATIVE.

Banks	Campbell	Genet	Kennedy	Van Petten
Beach	Folger	Graham	Nicks	Williams

15

The President then put the question whether the Senate would agree to refer the remainder of said resolution to the committee of the whole, in the words following:

"And that the special committee conducting such investigation be, and they hereby are instructed to report a bill making it a felonious offence for any director or officer to fraudulently issue stock of the company in which he holds such trusts, or to convert to his own use or purposes the proceeds of stock or bonds, or to fraudulently take and carry away to another State, or with like intent keep and retain therein to evade legal process in this State, the moneys or effects of such company."

And it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morris	Pierce	
Campbell	Crowley	Hubbard	Nichols	Thayer	
Cauldwell	Edwards	Mattoon	Norton	Tweed	
Chapman	Genet	Morgan	Parker		19

FOR THE NEGATIVE.

Banks	Folger	Kennedy	Nicks	Van Petten.	7
Beach	Graham				

Mr. Chapman moved that the minority of said committee have leave to report to the Senate the bill submitted with their report upon this subject.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Chapman, from said committee, reported a bill entitled "An act in relation to the Erie, New York Central, Hudson River, and Harlem Railway Companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Genet, the Senate took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act for the relief of William Marsh."

"An act repealing chapter 746 of the Laws of 1867, entitled 'An act enlarging the powers and defining the duties of the board of health and of the trustees of the village of Watertown, Jefferson county, New York,' passed April 24, 1867."

"An act to amend an act entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern Boulevard,' passed April 9, 1867."

"An Act to incorporate the village of Greenport."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act for the rebuilding of a bridge across the outlet made by the State, of the Onondaga lake.

"An act to amend an act entitled 'An act to incorporate the Brooklyn Trust Company,' passed April 14, 1866."

"An act to incorporate the Clinton Savings Bank, in the city of New York."

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859."

"An act to enable Robert Gordon and Frances Gordon his wife, and each of them, to hold and transmit such real estate in this State, as they or either of them shall actually occupy, for his or her own use."

"An act to enable the 'Park Central Presbyterian Society of Syracuse, to perfect its incorporation and to confirm grants heretofore made to it.'

"An act to incorporate the trustees of the Minard Fund, for the benefit of widows and orphans of deceased preachers of the Genesee Annual Conference."

"An act relative to ordinances and contracts for street pavements in the city of New York."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the city of Troy to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the charter of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act relative to the commissioners for the building of a public market in the city of New York, and to provide for the completion of said market," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the supervisor, town clerk and commissioners of highways of the town of Milton, in the county of Saratoga, to issue the bonds of said town to raise money to pay its indebtedness created for the purpose of building bridges in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend the laws in relation to the village of Carthage,' passed April 6, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Camp Meeting Association of the Methodist Episcopal Church of the Newburgh district, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to legalize and confirm certain proceedings of the school meeting held in joint district No. 4, of the town of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school-house in said district, in voting a tax to purchase such site, and also build a school-house thereon, and of the trustee of said district in causing such taxes to be levied and collected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Morris asked and obtained leave to intro-

duce a bill entitled "An act to encourage and aid the building of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend section 6 of part 3d, title 1, chapter 1, and article 1st of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to provide for publication of notices in certain cases, under the tax laws of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of the Wadsworth Normal and Training School, located in that village," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Havanna, in the town of Montour, county of Schuyler, and to repeal its present charter," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act to enable Conrad Poppenhusen to found an institution in the village of College Point," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize 'The Erie and New England Railroad Company' to establish and maintain a steamboat ferry on the Hudson river, at some point between Stony Point and Fort Montgomery, on said river," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Canldwell and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to repeal chapter 958 of the Laws of 1857, entitled 'An act to amend chapter 255 of the Laws of 1857, entitled 'An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Ossining,' passed April 6, 1857,'" was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the National Safe Deposit Company to complete its organization and to commence its business," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act in relation to frauds in assessments for local improvements in the city of New York,'" was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the purchasing and applying of disinfectants for use in prisons," was recommitted to the committee on State prisons, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to amend chapter 236 of the Laws of 1863, and for the relief of the Adirondack Company," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to amend an act entitled 'An act to encourage and facilitate the construction of the Adirondack railroad,' passed April 27, 1863, and for the relief of the Adirondack Company," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company to transfer all its rights, franchises and property to the Syracuse and Chenango Valley Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to authorize certain towns and villages in the counties of Onondaga, Madison and Chenango, to issue bonds and to take stock in the Syracuse and Chenango Valley Railroad Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate," was

recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Northam Hydraulic Company," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road," was recommitted to the committee on railroads, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act in relation to the Buffalo and Washington Railway Company, to obtain title to lands," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the city of Buffalo to borrow money, and to subscribe to the capital stock of the Buffalo and Washington Railway Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river, between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and of parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Owego Bridge Company,' passed April 16, 1866," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Binghamton and Port Dickinson Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended and the bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850; passed March 19, 1866,'" was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were

suspended, and the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13th, 1867,'" was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the better protection of persons letting, loaning or hiring out chattels," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to regulate the expenditures for poor purposes in Seneca county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to preserve order in public meetings, and protect public halls or buildings used as such, and the property therein appurtenant," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Folger offered the following resolution:

*Resolved*, That no bill introduced in the Senate since 30th March, and not yet reported, from the report of which there is dissent by a minority of a committee, shall be entitled to be placed on any preferred calendar, or to be referred to any sub-committee of the whole, or in any way obtain priority, except in accordance with the standing rules of the Senate.

Mr. Morris moved to amend by striking out "March 30," and inserting "1st April."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Creamer moved to refer said resolution to the committee on revision of rules.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the boards of supervisors of Orleans and Niagara counties to appropriate money to repair the County Line road between said counties," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Morgan offered the following resolution:

*Resolved*, That 1,500 extra copies of the annual report of the Local Board of the State Normal and Training School, at Brockport, be printed and bound in paper covers, for the use of that Board and the Department of Public Instruction.

Also, the following:

*Resolved*, That 1,500 extra copies of the annual report of the Local Board of the State Normal and Training School, at Oswego, be printed and bound in paper covers, for the use of that Board and the Department of Public Instruction.

*Ordered*, That said resolutions be referred to the committee on public printing.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act relating to the Lutheran Cemetery in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran Church in said town,' passed March 26, 1861," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the bill entitled "An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Schoharie and Schenectady Counties Farmers' Mutual Fire Insurance Association," was recommitted to the committee on insurance, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the board of supervisors of the county of Chautauqua, to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town, to borrow money to pay the existing indebtedness of said town, for highway and bridge purposes, and to repair the highways and bridges therein," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Mattoon, from the committee on public printing, to which was referred the following resolutions, reported in favor of the passage of the same:

*Resolved*, That 1,500 extra copies of the annual report of the Local Board of the State Normal and Training School, at Brockport, be printed and bound in paper covers, for the use of that Board and the Department of Public Instruction.

*Resolved*, That 1,500 extra copies of the annual report of the Local Board of the State Normal and Training School, at Oswego, be printed and bound in paper covers, for the use of that Board and the Department of Public Instruction."

Mr. Beach moved to amend by adding "and that each Senator be furnished with ten copies of the Red Book, for 1868."

Mr. Creamer moved to lay the report of the committee and amendment on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to confirm a resolution of the common council of the city of New York, passed December 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Genet moved that the committee on municipal affairs be discharged from the further consideration of said bill, and that the same be referred to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks  
Bradley

Crowley  
Edwards

Hale  
Hubbard

Morris  
Nichols

Stanford  
Thayer

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Cauldwell Chapman	Folger Genet	Kennedy Mattoon	Nicks Pierce	Van Petten Williams	20
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## FOR THE NEGATIVE.

Campbell	Creamer	Morgan	Norton	4
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Mr. Williams moved to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Nicks	Williams	9
Crowley	Kennedy	Morris	Stanford		

## FOR THE NEGATIVE.

Banks	Chapman	Hale	Norton	Thayer	19
Beach	Creamer	Hubbard	O'Donnell	Tweed	
Bradley	Edwards	Mattoon	Parker	Van Petten	
Cauldwell	Genet	Nichols	Pierce		

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to punish the unauthorized issue of the stock of corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Norton moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Norton	15
Campbell	Crowley	Mattoon	Nichols	Parker	
Cauldwell	Edwards	Morgan	Nicks	Stanford	

## FOR THE NEGATIVE.

Banks	Genet	Kennedy	Tweed	Williams	9
Creamer	Hale	Thayer	Van Petten		

Whereupon the Senate adjourned.

## THURSDAY, APRIL 2, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town."

"An act to extend the operation of chapter 484 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor,' to the counties of Dutchess, Putnam, Westchester and Orange."

"An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund."

"An act in relation to election districts in the town of Wallkill, Orange county."

"An act further to amend the charter of 'The Church Charity Foundation,' of the county of Kings, and to extend the territorial limits thereof."

"An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the 'Passenger Transit Company,'"

The President announced, pursuant to the 9th joint rule, that the Senate would proceed to the order of business of third reading of bills.

The Assembly bill entitled "An act to change the title of the New York Woman's Infirmary Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Parker
Campbell	Graham	Kennedy	O'Donnell	Pierce
Cauldwell	Hale	Morgan	Palmer	Stanford
Crowley	Hubbard			

17

## FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the board of town auditors to cause a survey and map to be made of the town of Flushing, in Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Pierce
Beach	Folger	Kennedy	O'Donnell	Stanford
Bradley	Graham	Morgan	Palmer	Thayer
Campbell	Hale	Morris	Parker	Tweed
Cauldwell	Hubbard	Nichols		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act further to amend the charter of 'The Church Charity Foundation,' of the county of Kings, and to extend the territorial limits thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Palmer
Bradley	Folger	Hubbard	Morris	Parker
Campbell	Genet	Humphrey	Nicks	Thayer
Cauldwell	Graham	Kennedy	O'Donnell	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to election districts in the town of Wallkill, Orange county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Pierce
Beach	Folger	Humphrey	O'Donnell	Stanford
Bradley	Genet	Kennedy	Palmer	Thayer
Campbell	Graham	Morris	Parker	Tweed
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Kennedy	Palmer
Beach	Chapman	Graham	Morgan	Pierce
Bradley	Crowley	Hubbard	Morris	Tweed
Campbell	Folger	Humphrey	Murphy	

19

## FOR THE NEGATIVE.

Hale	Stanford	Thayer	
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8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the operation of chapter 448 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation of companies therefor, to the counties of Dutchess, Putnam, Westchester and Orange,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morris	Pierce
Beach	Genet	Humphrey	Nichols	Stanford
Bradley	Graham	Kennedy	Palmer	Thayer
Campbell	Hale	Morgan	Parker	Tweed

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the village of Canastota, and the towns of Cazenovia and Fenner, in the county of Madison, to issue bonds and take stock in the Cazenovia and Canastota Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Palmer	Stanford
Bradley	Creamer	Hubbard	Parker	Thayer

Campbell	Genet	Morris	Pierce	Tweed	17
Cauldwell	Graham				

## FOR THE NEGATIVE.

Beach	Folger	Kennedy	Nichols	Nicks	6
Crowley					

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Stanford	
Bradley	Crowley	Humphrey	Nicks	Thayer	
Campbell	Folger	Kennedy	Palmer	Tweed	
Cauldwell	Genet	Morris	Parker		24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the conveyance of passengers and their baggage in the cities of New York and Brooklyn, and to incorporate the 'Passenger Transit Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Nichols	Parker	
Campbell	Graham	Kennedy	Nicks	Thayer	
Cauldwell	Hale	Morris	Palmer	Tweed	
Creamer	Hubbard				17

## FOR THE NEGATIVE.

Bradley	Chapman	Folger	Murphy	O'Donnell	6
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to make the town of Providence a part of the first school commissioner's district of Saratoga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	O'Donnell	
Beach	Creamer	Hubbard	Murphy	Palmer	
Campbell	Genet	Humphrey	Nichols	Parker	
Cauldwell	Graham	Kennedy	Nicks	Stanford	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the resident trustees of Genoa academy to sell, transfer and convey to the trustees of school

district No. 6, of the town of Genoa, the grounds, buildings, library and school apparatus belonging to said academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Nicks	Pierce
Campbell	Crowley	Hubbard	Palmer	Stanford
Cauldwell	Genet	Morgan	Parker	Thayer
Chapman	Graham	Nichols		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the board of trade of the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nicks	Pierce
Campbell	Genet	Kennedy	O'Donnell	Stanford
Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Morris	Parker	Twced
Crowley	Hubbard	Nichols		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Pierce
Campbell	Genet	Morgan	Nicks	Stanford
Cauldwell	Graham	Morris	O'Donnell	Thayer
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to incorporate the Union Foundry Company of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Nicks	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Parker	

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Flushing,' passed April 15, 1837, and the several acts amendatory thereof,' passed March 20, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Pierce
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Parker	Tweed
Chapman	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to regulate, grade and pave Graham avenue, Van Cott avenue and Eckford street, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Murphy	Pierce
Beach	Genet	Kennedy	Nichols	Stanford
Campbell	Graham	Morgan	Nicks	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate Empire Engine and Eagle Hose Company No. 4, of the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Nicks	Pierce
Beach	Chapman	Kennedy	Norton	Stanford
Bradley	Genet	Morgan	Palmer	Thayer
Campbell	Graham	Morris	Parker	Tweed

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Plattkill Glove Turnpike Road Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Morgan	Palmer	Stanford
Beach	Chapman	Morris	Parker	Thayer
Bradley	Genet	Nicks	Pierce	Tweed
Campbell	Kennedy	Norton		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Parker
Beach	Creamer	Kennedy	Nicks	Pierce
Bradley	Folger	Morgan	Norton	Stanford
Campbell	Genet	Morris	Palmer	Tweed
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the city of Buffalo to borrow money, and to subscribe to the capital stock of the Buffalo and Washington Railway Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Norton	Pierce
Beach	Genet	Murphy	O'Donnell	Stanford
Bradley	Graham	Nichols	Palmer	Thayer
Cauldwell	Humphrey	Nicks	Parker	Tweed
Chapman	Kennedy			

22

## FOR THE NEGATIVE.

Folger 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Buffalo and Washington Railway Company, to obtain title to lands," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nichols	Parker
Bradley	Creamer	Kennedy	Nicks	Stanford
Campbell	Genet	Morgan	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Chapman presented a remonstrance against making two school commissioner districts in Tompkins county, which was read and referred to the committee on literature.

Mr. Stanford presented two petitions of citizens of Troy and Lansingburgh, asking for an appropriation to repair the State dam at Troy, which were read and referred to the committee on canals.

Mr. Nicks presented a petition for an act making directors in Hudson and Harlem railroads, ineligible as directors in New York Central and Erie railroads, which was read and referred to the committee on railroads.

Mr. Pierce presented a petition of citizens of Brooklyn, in favor of widening Sackett and other streets in said city, which was read and referred to the committee on municipal affairs.

Mr. Stanford, from the committee on canals, to which was referred the amendment of the Assembly to the bill entitled "An act making appropriation for deficiencies in existing appropriations to meet existing claims and demands against the State," reported, and recommend concurrence in amendment of Assembly thereto.

The President put the question whether the Senate would agree to to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	Nicks	Pierce
Campbell	Graham	Morris	Norton	Stanford
Chapman	Humphrey	Murphy	Palmer	Thayer
Crowley	Kennedy	Nichols	Parker	Tweed
Folger				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Chapman, from the committee on literature, to which was recommended the bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850; passed March 19, 1866,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in place thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and of parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act for the improvement of



Brooklyn Heights, passed April 17, 1866, and supplemental thereto," reported in favor of the passage of the same, with amendments

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act revising, amending and consolidating the several acts in relation to the village of Fort Plain,' passed April 7, 1855," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the Eastern district of the city of Brooklyn,' passed January 15, 1857," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act for the better regulation of the fire department of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Havana, in the town of Montour, county of Schuylcr, and to repeal its present charter," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the United States Contracting Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act in relation to frauds in assessments for local improvements in the city of New York,' passed April 17, 1858," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend section 2 of chapter 156 of the Laws of 1857, authorizing the Malone Waterworks Company to increase its capital stock," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed January 24, 1867,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the bill entitled "An act to enable the National Safe Deposit Company of the city of New York to complete its organization and commence business," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend section 6, part 3, title 1 and article 1 of the Revised Statutes," reported adversely thereto.

Pending the question on agreeing with the report of the committee,

Mr. Morgan moved that the Senate take a recess until 1 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

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### ONE O'CLOCK, P. M.

The Senate again met.

Mr. Bradley, from the committee on insurance, to which was recommitted the Assembly bill entitled "An act to incorporate the Schoharie and Schenectady Counties Farmers' Mutual Fire Insurance Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to regulate the expenditures for poor purposes in Seneca county," with

power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to authorize the board of supervisors of the county of Chautauqua to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town to borrow money to pay the existing indebtedness of said town for highway and bridge purposes, and to repair the highways and bridges therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act to incorporate the Binghamton and Port Dickinson Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Banks, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery Place to Hammond street," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act to provide for the rebuilding of a bridge over the Oswego river, between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Oswego Bridge Company,' passed April 16, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to authorize the boards of supervisors of Orleans and Niagara counties, to appropriate money to repair the County Line road between said counties," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to repeal chapter 958 of

the Laws of 1867, entitled 'An act to amend chapter 255 of the Laws of 1857, entitled 'An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Ossining,' passed April 6, 1857,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to incorporate the Northam Hydraulic Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to authorize 'The Erie and New England Railroad Company' to establish and maintain a steamboat ferry on the Hudson river, at some point between Stoney Point and Fort Montgomery, on said river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to incorporate the Sacandaga Boom Company, and to authorize said company to erect piers and construct booms across the Sacandaga river, in the town of Northampton, county of Fulton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to provide for the more effectual protection of the public health, and for the completion of the Quarantine establishment," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Public Exchange," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was recommitted the bill entitled "An act to authorize the purchasing and applying of disinfectants for use in prisons," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Hale, the Senate took a recess until 7½ o'clock P. M.

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#### HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The President announced the question to be upon agreeing to the report of the committee on the judiciary, adverse to the bill entitled "An act to amend section 6, part 3d, title 1, chapter 1, and article 1st of the Revised Statutes."

Mr. Morgan moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its present charter," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Friendly Society of St. Ambrose Church, in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and said bill referred to the committee on charitable and religious societies, with power to report complete.

"An act to authorize a special town meeting in the towns of Brutus and Cato, in the county of Cayuga, to determine relative to rebuilding of the Bonta bridge, in said county, and a bridge between Brutus, Mentz and Conquest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act appointing James Vanhorn, Lorenzo Webster and Stephen F. Gooding, commissioners for draining certain lands in the towns of Newfane and Hartland, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Fiduciary Company, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act appointing Guy C. Humphrey, Samuel Nichols and Chauncey Lumm, commissioners to drain into the Golden Hill creek, certain low lands in the towns of Somerset and Hartland, in Niagara county, and to prevent the overflow of water in said towns, and on lands in the town of Yates, Orleans county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to extend the operation and effect of the act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848; and of the act entitled 'An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848; passed April 28, 1866,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to incorporate the Evangelical Lutheran Synod of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The President presented a communication from the State Engineer and Surveyor, in the words following:

OFFICE OF THE STATE ENGINEER AND SURVEYOR, }  
ALBANY, April 2, 1868.

HON. STEWART L. WOODFORD, *President of the Senate* :

Sir : In answer to the following resolution, offered by Mr. O'Donnell, and adopted March 31:

"That the State Engineer and Surveyor be directed to measure the excavation made under the direction of the Capitol Commissioners for the new Capitol, and to report the number of yards excavated to the Senate."

The undersigned respectfully report:

That the excavation being completed, and having no means of ascertaining by actual measurement, the height of the original surface of the ground above the level to which it is now excavated, leaves me unable to determine the number of yards removed.

Very respectfully, &c.,

VAN R. RICHMOND,  
*State Engineer and Surveyor.*

Mr. Tweed moved to refer said communication to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Adeline Mullany," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the bill entitled "An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State, and to empower the Cornell Library to transfer certain things and rights to the Cornell University," was referred to the committee on literature, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended and the bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Canldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortlandt, Westchester county," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend chapter 353 of the Laws of 1862, relative to the Ten Broeck Free Academy, in the county of Cattaraugus," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse Northern Railroad Company," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act requiring the clerk of the county of Onondaga, to cause certain maps to be made and filed in his office," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act authorizing the board of supervisors of the county of Genesec, to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Tweed, for Mr. Edwards, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act relative to incorporations for fishing purposes," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego to issue bonds in aid of the Syracuse Northern Railroad Company," was recommitted to the committee on railroads, with power to report complete.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *March 27, 1868.*

By request of the Assembly, in pursuance of a joint resolution of the two Houses of the Legislature, His Excellency the Governor returned to this House the bill entitled "An act to amend chapter 286 of the Laws of 1868, entitled 'An act for the better support of the poor in the city of Poughkeepsie, in the county of Dutchess,' passed April 29, 1863," for amendment.

Mr. Speaker put the question on reconsidering the vote on the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

On motion of Mr. Ackert, said bill was amended by inserting after the word Poughkeepsie, in line 3 of section 1 of said act, the words "in the county of Dutchess, passed April 29, 1863."

Said bill, as amended, was then read a third time and passed, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present, and was ordered re-engrossed and to be sent to the Senate for concurrence in the passage of the same, as amended.

By order,

C. W. ARMSTRONG, *Clerk.*

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the vote on the final passage of said bill was reconsidered, the vote being as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Crowley	Kennedy	Norton	Stanford
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Palmer	

19

The President then put the question whether the Senate would agree to concur in the amendment of the Assembly to said entitled bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Stanford
Beach	Chapman	Hubbard	Norton	Thayer
Bradley	Crowley	Humphrey	Palmer	Tweed
Campbell	Folger	Kennedy	Parker	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly sent for concurrence the bill entitled as follows:

"An act to incorporate the Arcade Underground Railway Company, and to provide for the construction of an arcade underground railway in the city of New York," which was read the first time, and by unanimous consent was also read the second time.

Mr. Parker moved to refer said bill to the committee of the whole.

Mr. Norton moved to refer to the committee on railroads.

The President put the question whether the Senate would agree to said motion of Mr. Norton, and it was decided in the affirmative.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the building of a town house, in the town of Minden, Montgomery county, to be used for a town hall, temporary jail and engine house," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bill entitled as follows:

"An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Genet moved that said bill, together with the bill entitled "An act to provide for transportation, underground, in the city of New York, and to authorize the organization of a railroad corporation for that purpose;" also, the bill entitled "An act to incorporate the Arcade Underground Railway Company of the city of New York, and to provide for the construction of the said railway," be made the special order for Monday evening next, at 7½ o'clock, and that a session be held at that time for that purpose.

Mr. Tweed moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Crowley	Morgan	O'Donnell	Williams	8
Chapman	Folger	Nicks			

#### FOR THE NEGATIVE.

Banks	Genet	Morris	Parker	Stanford	12
Bradley	Hubbard	Nichols	Pierce	Tweed	
Caldwell	Kennedy				

After debate,

Mr. Crowley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:



## FOR THE AFFIRMATIVE.

Bradley	Cauldwell	Crowley	Morgan	Nicks	8
Campbell	Chapman	Folger			

## FOR THE NEGATIVE.

Banks	Kennedy	Nichols	Parker	Stanford	11
Genet	Morris	O'Donnell	Pierce	Tweed	
Hubbard					

After debate,

Mr. Crowley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Chapman	Folger	Morgan	Nicks	7
Campbell	Crowley				

## FOR THE NEGATIVE.

Banks	Kennedy	Nichols	Parker	Stanford	11
Genet	Morris	O'Donnell	Pierce	Tweed	
Hubbard					

Mr. Folger moved a call of the Senate.

Mr. Morgan moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Chapman	Folger	Nicks	Williams	9
Cauldwell	Crowley	Morgan	Pierce		

## FOR THE NEGATIVE:

Banks	Hubbard	Nichols	O'Donnell	Stanford	12
Bradley	Kennedy	Norton	Parker	Tweed	
Genet	Morris				

Mr. Folger withdrew his motion for a call of the Senate.

Mr. Crowley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Chapman	Crowley	Morgan	Nicks	6
Cauldwell					

## FOR THE NEGATIVE.

Banks	Genet	Morris	O'Donnell	Stanford	15
Bradley	Hubbard	Nichols	Parker	Tweed	
Folger	Kennedy	Norton	Pierce	Williams	

The President then put the question whether the Senate would agree to said motion of Mr. Genet, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to revive the charter of the Ithaca Savings Bank."

"An act to legalize the election of trustees of school district No. 14, in the town of Ridgeway, Orleans county, New York, at the annual election of trustees held in October, 1866 and 1867, and to confirm and legalize their acts, and to allow said district to elect three trustees in said district."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof."

"An act to legalize certain acts of the trustees of school district No. 14, of Schroepfel and Volney."

"An act to authorize the sale and conveyance of a portion of the site of the Central School of the Union Free School district No. 1, of the town of Ellicott."

"An act releasing to Mary McGrau all the right, title and interest of the people of the State of New York, in and to certain lands in the city of Albany."

"An act to define and establish the boundaries of school district No. 5, of the town of Flushing, in Queens county."

"An act to change the boundaries of the village of Sloansville, Schoharie county, to enlarge the powers of the inhabitants thereof; amendatory of chapter 180 of the Laws of 1867."

"An act to amend an act entitled 'An act to incorporate the Mechanics' and Traders' Savings Institution,' passed April 16, 1852, and an act to amend the same, passed March 19, 1857."

"An act releasing the title of the State of New York to certain lands in Sparta, Livingston county, conveyed to William Moody, and authorizing said Moody to convey the same."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867.'"

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to amend the charter of the Home Insurance Company."

"An act for the relief of the Franklin Fire Insurance Company."

"An act to authorize certain life insurance companies to make annual dividends."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled as follows:

"An act making appropriation for deficiencies in existing appropriation, to meet existing claims and demands against the State."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. O'Donnell, the Senate adjourned.

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### FRIDAY, APRIL 3, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Wells.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Board of Trade of the city of Troy."

"An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, to be located in the city of Brooklyn,' passed April 24, 1867."

"An act to enable the commissioners of highways of the town of Lowville to borrow money."

"An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers, to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865."

"An act to incorporate the Yonkers and Alpine Ferry Company."

"An act to amend an act entitled 'An act to amend the charter of the village of Newark,' passed April 2, 1864."

"An act authorizing the common council of the city of Poughkeepsie to build sewers therein."

"An act to enable the electors of the village of Geneseo to raise money in aid of 'The Wadsworth Normal and Training School,' located in that village."

"An act to incorporate the Binghamton and Port Dickinson Railroad Company."

"An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850; passed March 19, 1866.'"

"An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same."

Also as correctly re-engrossed:

"An act making appropriation for deficiencies in existing appropriation, to meet existing claims and demands against the State."

There being more than ten bills ready for a third reading, under the 9th joint rule, the Senate proceeded to that order of business.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Newark,' passed April 2, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nichols	Stanford
Cauldwell	Graham	Kennedy	O'Donnell	Thayer
Chapman	Hale	Morgan	Palmer	Van Petten
Crowley	Hubbard	Morris	Parker	Williams
Folger				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended and the bill entitled "An act to enable the treasurer of Delaware county to make return of the non-resident taxes of the town of Colchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Morgan	Thayer
Bradley	Folger	Hubbard	Morris	Tweed
Cauldwell	Genet	Humphrey	Nichols	Van Petten
Chapman	Graham	Kennedy	Stanford	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the common council of the city of Poughkeepsie to build sewers therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Thayer
Cauldwell	Hale	Mattoon	O'Donnell	Tweed
Chapman	Hubbard	Morgan	Palmer	Van Petten
Crowley	Humphrey	Morris	Stanford	Williams
Folger				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the commissioners of highways of the town of Lowville to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Murphy	Stanford
Beach	Genet	Kennedy	Nichols	Thayer
Bradley	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	O'Donnell	Van Petten
Chapman	Hubbard	Morris	Palmer	Williams

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Youkers, to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer
Beach	Graham	Morgan	O'Donnell	Tweed
Bradley	Hale	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Murphy	Pierce	Williams
Chapman	Kennedy	Nichols	Stanford	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Hamilton Savings Bank, to be located in the city of Brooklyn,' passed April 24, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Murphy	Parker
Beach	Folger	Kennedy	Nicks	Pierce
Bradley	Genet	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Tweed
Chapman	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the electors of the village of Genesee to raise money in aid of the Wadsworth Normal and Training School, located in that village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nicks	Thayer
Beach	Graham	Morgan	O'Donnell	Tweed
Bradley	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Crowley	Humphrey			

22

## FOR THE NEGATIVE.

Folger	1
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*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to regulate free schools in the city of Auburn,' passed April 10, 1850; passed March 19, 1866,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Morgan	Nicks	Stanford
Beach	Hubbard	Morris	O'Donnell	Tweed
Cauldwell	Kennedy	Murphy	Parker	Van Petten
Chapman	Mattoon	Nichols	Pierce	Williams
Folger				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the village of Havana, in the town of Montour, county of Schuyler, and to repeal its present charter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Palmer	Thayer
Bradley	Genet	Morris	Parker	Tweed
Cauldwell	Graham	Nicks	Pierce	Van Petten
Chapman	Kennedy	O'Donnell	Stanford	Williams
Crowley	Mattoon			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to frauds in assessments for local improvements, in the city of New York,' passed April 17, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Thayer

Cauldwell	Graham	Morgan	Norton	Tweed	
Chapman	Hale	Morris	Parker	Williams	
Crowley	Hubbard	Murphy	Pierce		24

## FOR THE NEGATIVE.

O'Donnell 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the laying out of a public highway in the towns of New Lots and Flatlands, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Parker	
Beach	Crowley	Humphrey	Murphy	Stanford	
Bradley	Folger	Kennedy	Nicks	Thayer	
Cauldwell	Genet	Mattoon	O'Donnell	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Yonkers and Alpine Ferry Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Nicks	Tweed	
Bradley	Hubbard	Morris	Parker	Van Petten	
Chapman	Humphrey	Murphy	Stanford	Williams	
Graham	Kennedy				17

## FOR THE NEGATIVE.

Banks Folger 2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 2 of chapter 156 of the Laws of 1857, authorizing the Malone Waterworks Company to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Palmer	Tweed	
Chapman	Graham	Mattoon	Parker	Van Petten	
Crowley	Hale	Morris	Stanford	Williams	
Folger	Hubbard	O'Donnell	Thayer		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Schoharie and Schenectady Counties Farmers' Mutual Fire Insurance Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Parker	Thayer	
Beach	Graham	Morris	Pierce	Van Petten	
Cauldwell	Hale	Murphy	Stanford	Williams	
Crowley	Hubbard	Palmer			18

## FOR THE NEGATIVE.

Folger	O'Donnell				2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Murphy	Pierce	
Beach	Genet	Humphrey	Nichols	Stanford	
Bradley	Graham	Kennedy	Palmer	Thayer	
Cauldwell	Hale	Morris	Parker	Van Petten	20

## FOR THE NEGATIVE.

Williams					1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to regulate the expenditures for poor purposes in Seneca county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Murphy	Palmer	Thayer	
Cauldwell	Humphrey	Nichols	Parker	Tweed	
Chapman	Kennedy	Nicks	Pierce	Van Petten	
Crowley	Morris	O'Donnell	Stanford	Williams	
Folger					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Binghamton and Port Dickinson Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Morris	Palmer	Thayer	
Cauldwell	Hale	Nichols	Parker	Tweed	
Chapman	Hubbard	Nicks	Pierce	Van Petten	

Crowley	Kennedy	O'Donnell	Stanford	Williams	22
Folger	Mattoon				

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

• FOR THE AFFIRMATIVE.

Banks	Graham	Murphy	Palmer	Thayer	
Beach	Hale	Nichols	Parker	Tweed	
Bradley	Hubbard	Nicks	Pierce	Van Petten	
Cauldwell	Mattoon	Norton	Stanford	Williams	
Folger	Morris	O'Donnell			23

FOR THE NEGATIVE.

Kennedy

I

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the boards of supervisors of Orleans and Niagara counties, to appropriate money to repair the County Line road between said counties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	O'Donnell	Thayer	
Beach	Hale	Morris	Parker	Tweed	
Cauldwell	Humphrey	Nichols	Pierce	Van Petten	
Crowley	Kennedy	Nicks	Stanford	Williams	
Folger					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal chapter 958 of the Laws of 1867, entitled 'An act to amend chapter 255 of the Laws of 1857, entitled 'An act to provide for straightening and working the highway leading from Losee's Corners to the village of Sing Sing, in the town of Ossining,' passed April 6, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Norton	Thayer
Beach	Graham	Mattoon	O'Donnell	Tweed
Bradley	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Chapman	Humphrey	Nicks		

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-



sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Sacandaga Boom Company, and to authorize said company to erect piers and construct booms across the Sacandaga river, in the town of Northampton, county of Fulton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Norton	Parker
Beach	Crowley	Humphrey	O'Donnell	Stanford
Bradley	Genet	Kennedy	Palmer	Thayer
Cauldwell	Graham	Nicks		

18

FOR THE NEGATIVE.

Mattoon	Van Petten	Williams
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3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Nichols presented petitions for repeal of the Niagara Frontier Police law, which were read and referred to the committee on municipal affairs.

Mr. Chapman presented a remonstrance against building any free bridges over the Chenango and Susquehanna rivers, at Binghamton, which was read and referred to the committee on roads and bridges.

Mr. Van Petten presented a remonstrance of citizens of Little Falls, against repeal of act of 1867, to regulate the use of certain slips and wharves on the East river, which was read and referred to the committee on commerce and navigation.

Mr. Pierce presented a petition of citizens of Brooklyn, in favor of widening Sackett street, Brooklyn, which was read and referred to the committee on municipal affairs.

Mr. Banks presented two petitions of citizens of Albany, to repeal law in relation to inspection of steam-boilers in the Metropolitan Police district, which were read and referred to the committee on manufactures.

Mr. Bradley presented a petition of the Demilt Dispensary, for pecuniary aid, which was read and referred to the committee on finance.

Mr. Crowley presented two remonstrances against passage of act to incorporate city of Rome, which were read and referred to the committee on municipal affairs.

Mr. Folger presented two remonstrances against two school commissioners' districts in Tompkins county, which were read and referred to the committee on literature.

Mr. Hale presented a petition of Edward Ern and 125 citizens of Plattsburgh, for an act incorporating the Union Canadian Association of Plattsburgh, which was read and referred to the committee on the judiciary.

Also a remonstrance of citizens of New Brighton, against bill amending charter, which was read and referred to the committee on municipal affairs.

Mr. Hubbard presented two petitions for a free bridge at Afton, which were read and referred to the committee on roads and bridges.

Mr. Chapman, from the committee on literature, to which was recommended the bill entitled "An act to donate to the Cornell University a

collection from the duplicates of fossils and minerals belonging to the State, and to empower the Cornell Library to transfer certain things and rights to the Cornell University," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the bill entitled "An act to enable Conrad Poppenhusen to found an institution in the village of College Point," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend chapter 353 of the Laws of 1862, relative to the Ten Broeck Free Academy, in the county of Cattaraugus," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommended the Assembly bill entitled "An act to provide for the building of a town house, in the town of Minden, Montgomery county, to be used for a town hall, temporary jail, and engine house," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Working Women's Protective Union," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate the Marsh Land Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the bill entitled "An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act relating to the Lutheran Cemetery in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran Church in said town,' passed March 26, 1861," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was recom-

mitted the bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego to issue bonds in aid of the Syracuse Northern Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the resolution of the Senate requesting them to report to the Senate whether in their opinion the office of State Superintendent of Public Instruction will be eligible to joint ballot of the Senate and Assembly, on the first Tuesday of April next, submitted a report in writing, to the effect that the office of State Superintendent of Public Instruction will be eligible by joint ballot of the Senate and Assembly, on the first Tuesday of April, 1868; which was laid on the table and ordered printed.

(See Doc. No. 69.)

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the times of opening and closing the clerk's office in Erie county," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 417 of the Laws of 1864, entitled 'An act to provide for the sale and conveyance of any interest in real estate belonging to lunatics,' and to apply the proceeds thereof to the estates of idiots and persons of unsound mind," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act in relation to mortgages executed by railroad companies," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the Poorman's Gold and Silver Mining Company of Idaho, to change its place of business," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas for the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for the erection of buildings,' passed April 5, 1853," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend title 15 of chapter 8 of part 3 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement,' reported adversely thereto.

Mr. Williams moved to lay the question of agreeing to the report of the committee on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of seventeen attorneys of the city of Oswego, for an amendment to the city charter, in relation to the recorder's court in said city, reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of St. Peter's German Catholic Congregation at Oswego, against the Father Conventuals of Syracuse, from conveying their lands, in the city of Oswego, reported adversely thereto, and in favor of the adoption of the following resolution:

*Resolved*, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the election of an additional justice of the peace in the town of Pierrepont, county of St. Lawrence," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act appointing James Van Horn, Lorenzo Webster and Stephen F. Gooding, commissioners for draining certain lands in the towns of Newfane and Hartland, in the county of Niagara," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to preserve order in public meetings, and to protect public halls or buildings used as such, and the property therein or appurtenant," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act requiring the clerk of the county of Onondaga to cause certain maps to be made and filed in his office," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act appointing Guy C. Humphrey, Samuel Nichols and Chauncey Lumm, commissioners to drain into the Golden Hill creek, certain low lands in the towns of Somerset and Hartland, in Niagara county, and to prevent the overflow of water in said towns, and on lands in the town of Yates, Orleans county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Adeline Mullany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relative to incorporations for fishing purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Corcoran Irish Legion Association, in the city of New York," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20th, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17, 1866, and supplemental thereto," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse Northern Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act in relation to the police and fire departments in the city of Syracuse," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the 'Union Bank for Savings,' in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to extend Clinton avenue, in the city of Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the North River Savings Bank," in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to open, alter, extend and widen cer-

tain roads in Richmond county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to prevent encroachments upon graveyards," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortlandt, Westchester county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the State Line Bridge Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the building of an iron bridge across the Susquehanna river at Cooperstown, and to provide for the raising of money therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to repair the State works on De Grasse river, in St. Lawrence county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to ratify, legalize and confirm the proceedings of the Rochester Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, April 3, 1868. }

*To the Senate:* I have the honor to transmit the report of Mr. Rodney R. Crowley, a commissioner appointed under authority of a resolution of your body, passed April 17, 1867, to inquire into and ascertain what damages had been done to the lands embraced in the Cattaraugus, Allegany and Oil Spring Reservation, by trespassers, and to adopt measures for the prevention of waste, and the recovery of damages therefor.

R. E. FENTON.

Said report was laid on the table and ordered printed.

(See Doc. No. 72.)

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to incorporate the 'Old Guard,' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act vesting John T. Conover, administrator with

the will of Gustavus A. Conover, deceased, all the powers and duties of executor and trustee under such will," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act concerning passengers arriving in the port of New York, and to provide for their support under quarantine," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to authorize the establishment of a line of coaches and vehicles in and through the Central Park of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hubbard asked and obtained leave to introduce a bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, at Afton, Chenango county, and for the purchase of an existing franchise of the existing bridge company, and to borrow money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Beach asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the president, managers and company of the Delaware and Hudson Canal Company,' passed April 23, 1823," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act making an appropriation to provide for a deficiency in the appropriation for the repairs and maintenance of the Eastern division of the canals, during the fiscal year, commencing on the first day of October, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to contracts by the mayor, aldermen and commonalty of the city of New York,' passed April 17, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Murphy called for the consideration of the resolution heretofore offered by him, as follows:

*Resolved*, (if the Assembly concur,) That a joint convention of the Senate and Assembly, be held on Tuesday next, at 12 o'clock, noon, in the Assembly chamber, for the purpose of electing a State Superintendent of Public Instruction.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent the rule was suspended, and the Clerk ordered to deliver said resolution to the Assembly immediately, with a message requesting their concurrence therein.

Mr. Folger moved that the bill entitled "An act to incorporate the 'Commercial Agency and Credit Guaranty Company,' of the city of New York," be recommitted to the committee on insurance.

Mr. Bradley moved to amend by striking out "insurance" and inserting "judiciary," and to retain its place on general orders.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

Mr. Crowley moved that the Assembly bill entitled "An act to provide for construction of vertical stone walls along the berme bank of the Erie canal, in the villages of Medina and Albion, and appropriating money therefor," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Rochester Bridge Company," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate 'The Isthmus Canal Company,'" was recommitted to the committee on the judiciary, with power to report complete.

Mr. Williams offered the following resolution:

*Resolved*, That on and after Tuesday next, the Senate hold two sessions each day, one from ten o'clock in the morning till one o'clock, and one from four o'clock to seven P. M.

Mr. Beach moved to amend by striking out the words "from four o'clock to seven P. M.," and inserting "and one at 7½ o'clock P. M."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Parker moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. O'Donnell moved to amend by striking out "Tuesday" and inserting "Friday."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

A division of the resolution being called for,

The President put the question whether the Senate would agree to the first branch of the resolution, viz: "that on and after Tuesday next, the Senate hold two sessions per day," and it was decided in the affirmative.

Mr. Mattoon moved to amend by striking out the words "one o'clock" and inserting "two o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the second branch of the resolution, viz: "from ten o'clock in the morning until one o'clock," and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the third branch of the resolution, viz: "and one from four o'clock to seven P. M.," and it was decided in the affirmative.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,'" was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Chapman offered the following resolution:

*Resolved*, That the committee of the whole be discharged from the



further consideration of the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed April 21, 1864," and that the same be laid on the table.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hubbard offered the following resolution:

*Resolved*, (if the Assembly concur,) That a respectful message be sent to His Excellency the Governor, requesting the return to the Senate of Senate bill No. 63, entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859," for correction.

By unanimous consent the rule was suspended, and said resolution ordered considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Kennedy moved that the committee on canals be discharged from the further consideration of the bill entitled "An act making an appropriation to provide for a deficiency in the appropriation for the repairs and maintenance of the Eastern division of the canals, during the fiscal year, commencing on the first day of October, 1867," and that the same be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Thayer
Chapman	Hale	Palmer	Palmer	Tweed
Crowley	Hubbard	Murphy	Parker	Van Petten
Folger	Humphrey	Nichols	Pierce	Williams 25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Mattoon offered the following resolution:

*Resolved*, That the Clerk furnish to each Senator, officer and reporter of the Senate, twenty-five copies of the Red Book or Manual of 1868.

Mr. Folger moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Bradley	Folger	Hale	Murphy	Parker
Cauldwell	Genet	Humphrey	Nichols	Pierce
Crowley	Graham	Morgan	Nicks	Tweed 15

#### FOR THE NEGATIVE.

Beach	Mattoon	O'Donnell	Stanford	Van Petten
Chapman	Morris	Palmer	Thayer	Williams
Hubbard	Norton			

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and the bill entitled "An act to create a single road district from the village of Fairfield to the village of Little Falls, Herkimer Co., New York," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Van Petten offered the following resolution:

*Resolved*, That 1,500 copies of Prof. Dalton's report to the New York State Agricultural Society for 1867, upon the subject of abortion among cows, be printed for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. O'Donnell offered the following resolution:

*Resolved*, That when the Senate adjourn to-day, it adjourn until Monday evening, half-past 7 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the election of an additional justice of the peace in the town of Pierrepont, county of St. Lawrence," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13th, 1852," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," was recommitted to the committee on manufactures, with power to report complete.

Mr. Murphy moved that the bill entitled "An act to authorize the formation of loan, guarantee and warehousing companies," be referred to the first committee of the whole, after the present preferred calendar is exhausted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the East New York Savings Bank," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate 'Green Point Savings Bank,' " was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Morrisania Savings Bank,' passed May 1, 1865," was recommitted to the committee on banks, with power to report complete.

Mr. Morris offered the following resolution:

*Resolved*, That the Clerk be instructed to furnish for the President of the Senate, the Senators, and the Clerk and Deputy Clerks, each twenty copies of the Red Book.

Mr. Folger moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said

motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Murphy	Norton	Parker
Cauldwell	Graham	Nichols	O'Donnell	Pierce
Chapman	Humphrey	Nicks	Palmer	Stanford
Crowley				

16

FOR THE NEGATIVE.

Beach	Hubbard	Morgan	Thayer	Williams
Hale	Mattoon	Morris	Van Petten	

9

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Fireproof Warehouse Company," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley, the Senate adjourned.

MONDAY, APRIL 6, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

A message from His Excellency the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, April 6, 1868.

*To the Senate:* I deeply regret the necessity which compels me to return, without my approval, Senate bill No. 166, entitled an "Act to aid the construction of the Whitehall and Plattsburgh Railroad."

The bill requires the Treasurer of the State to pay \$250,000, whenever the Whitehall and Plattsburgh Railroad Company shall prove to the Comptroller of the State, that the road of said company has been graded from Whitehall in the county of Washington, to Plattsburgh in the county of Clinton, and the iron laid on one half thereof.

The work the bill seeks to aid is highly meritorious. Its completion would open up a region of the State abounding in mineral resources, lumber, and many of the staples of wealth, and which is now nearly inaccessible a portion of the year. I cannot, however, resist the conviction that a just regard for the public judgment, and the interests of a people largely involved in debt and heavily taxed, forbid my sanction of this appropriation. It is not essential to the consideration of the case to discuss the abstract right to take the money of the whole people to aid a corporation in the prosecution of a work of this character in a portion of the State. Whatever may have been urged or could now be said against it, in practice it has obtained, and the question presented must be decided mainly upon other grounds. It may be conceded that, under favoring circumstances, whatever tends to develop our resources and add to our commercial facilities and wealth in one district, must result in some benefit to all.

At the last session of the Legislature I gave my assent to the bill to facilitate the construction of the Whitehall and Plattsburgh railroad, and of the Albany and Susquehanna, making an appropriation of \$250,000 to each road. They were the only companies engaged in the construction of railroads, that sought successfully, from the Senate and

Assembly, State aid upon a definite presentation of their condition, that came to me for approval. The amount of appropriations, for general purposes, was not large, when compared with the two previous years, and it was hoped that this sum would enable the projectors of these worthy enterprises to secure their final completion; at least, that no further call for assistance from the State would be made until a more auspicious period as to our public debt.

The Whitehall and Plattsburgh bill provided that, on due proof to the Comptroller, that the Company had built ten miles of its road or more, to pay \$5,000, and at the same rate, from time to time, for each and every mile of such road so built and ready for equipment and operation for the distance of fifty miles. Twenty miles from Plattsburgh, south, and about twenty miles between Ticonderoga and Port Henry, have been placed under contract; but the work is not so far advanced as to permit any part of the appropriation to be paid from the State Treasury, and it is not claimed that the progress of the undertaking will warrant such payment for some time to come. It is apparent, therefore, that there is no immediate need of the funds provided in this bill, and, it may well be supposed, both from the condition of the work and the terms of the present bill, that an appropriation, if expedient at any time, would be in ample season at the next meeting of the Legislature. It is not wholly improbable that the expectation which many were led to indulge, may hereafter prove well founded, and that individual enterprise will be entirely adequate to the successful prosecution and completion of this important line of improvement. If otherwise, when the need of aid shall be pressing and immediate, and under a favorable state of the finances, it is presumed a future Legislature will be equally mindful of the public interests and the just discrimination towards improvements in sections of the State which have participated but little in the benefits of our public works, while they have patiently borne their share of the public burdens and contributed a fair quota to the common treasury.

It may be observed that an evil of this kind of legislation, is that its facility tends to invite and encourage renewed applications when commensurate appeals would enlist private capital. It will be seen also, that almost every district of the State puts in a claim for aid from the public Treasury, and with the same arguments and apparent earnestness. For example, at the present session, there is before one or the other branches of the Legislature in more or less advanced stage, bills for the

Albany and Susquehanna railroad, granting.....	\$250,000
Buffalo and Washington " " .....	250,000
Dunkirk and Warren " " .....	200,000
Lake Ontario Shore " " .....	300,000
Southern Central " " .....	150,000
New York Northern " " .....	600,000
Rondout and Oswego " " .....	250,000
Utica and Black River railroad, \$5,000 say, for 40 miles.....	200,000
Midland railroad, \$5,000 say, for 35 miles .....	175,000
Buffalo, Corry and Pittsburgh railroad.....	200,000

The vast sums given by these appropriations to such objects, might well excite grave attention and uneasiness, in periods of entire freedom from debt and of great prosperity, but in our present condition, it cannot fail to create profound distrust and alarm. I can understand how the attention of legislators, amid the pressing and arduous duties of a brief session, has necessarily been limited to the consideration of particular measures with reference to their general merits, but I have observed

with much concern the aggregate involved in the various propositions referred to.

It must have come to the attention of all, that during the past year the people have been more restive under the burdens of taxation, than at any previous period since the close of the war. Business has been unsettled, trade has been depressed, industry partially paralyzed, and values have become more irregular and less reliable. Profits have diminished, and until the great financial questions are firmly decided, and a permanent policy established, the horoscope of the future cannot be surely and confidently cast. This condition, which the repeated lessons of history, and our own past experience as a people, might have taught us to expect would mark the period immediately following a great war, duty and prudence alike demand shall not be disregarded. The State can no more be prosperous without economy in the conduct of affairs than individuals. A continued large debt is dangerous to our social and republican institutions. Our first care, therefore, should be to ascertain how the volume of debt can be diminished, and guard against its extension; how the measure of taxation can be reduced, and retrenchment made more rigid and systematic.

These questions come home to every household.

It seems to me that it is our plain duty to go no further in expenditure, than is required for the economical administration of Government, and the protection of those interests which are inseparably connected with the general welfare and security. The public works of the State must be maintained at all times, and but few will be found to oppose moderate aid to meritorious corporate enterprises when the public condition will permit.

I entertain a firm conviction that if the case could be submitted to the people of the State, the views I have advanced, as touching the case before us, would meet very general approval. Trusting that they will receive the concurrence of the Legislature, I respectfully return the bill for your further consideration.

R. E. FENTON.

Mr. Hale moved that the message be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to incorporate dental societies for the purpose of improving and regulating the practice of dentistry in this State."

"An act in relation to the Fifth Ward Railroad Company in the city of Syracuse."

"An act to amend the charter of the Mechanics' Savings Bank, of Rochester."

"An act to enable the United States Accident Insurance Company of Syracuse, to withdraw a portion of the securities deposited by it in the Insurance Department."

"An act to authorize the town of Almond, in the county of Allegany, to raise money by tax for the purpose of erecting an academy and town hall in said town."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act for the promotion of public health, and for drainage of certain overflowed and wet lands in Jefferson county."

"An act to incorporate the Plattekill Glove Turnpike Road Company."

"An act to provide for the drainage of swamp lands in the town of Chili, in the county of Monroe."

"An act to authorize the city of Buffalo to borrow money, and to subscribe to the capital stock of the Buffalo and Washington Railway Company."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the resolution for a joint convention for the election of a Superintendent of Public Instruction, with a message that they had passed the same, without amendment.

On motion of Mr. Genet, the Senate adjourned.

## TUESDAY, APRIL 7, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journals of Friday, April 3, and Monday, April 6, were read and approved.

Mr. Van Petten, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to enable the National Safe Deposit Company of the city of New York to complete its organization and commence business."

"An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State, and to empower the Cornell Library to transfer certain things and rights to the Cornell University."

"An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Oswego Bridge Company,' passed April 16, 1866."

"An act to provide for the rebuilding of the bridge over the Oswego river, between the towns of Lysander, in Onondaga county, and Schroepel, in the county of Oswego."

"An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate."

"An act to enable Conrad Poppenhusen to found an institution in the village of College Point."

"An act to preserve order in public meetings, and to protect public halls or buildings used as such, and the property therein or appurtenant."

"An act to authorize certain towns in the counties of Onondaga and Oswego to issue bonds in aid of the Syracuse and Northern Railroad Company."

"An act in relation to the police and fire department in the city of Syracuse."

"An act to enable the treasurer of Delaware county to make return of the non-resident taxes of the town of Colchester."

"An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17, 1866, and supplemental thereto."

"An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867."

"An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river."

"An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town."

"An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots."

"An act to authorize the board of supervisors of the county of Chautauque, to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town, to borrow money to pay the existing indebtedness of said town, for highway and bridge purposes, and to repair the highways and bridges therein."

"An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and of parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city."

"An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens.'"

"An act to authorize the purchasing and applying of disinfectants for use in prisons."

"An act to authorize Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortlandt, Westchester county."

"An act to incorporate the Northam Hydraulic Company."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed January 24, 1867."

"An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse Northern Railroad Company."

"An act requiring the clerk of the county of Onondaga to cause certain maps to be made and filed in his office."

"An act to authorize 'The Erie and New England Railroad Company' to establish and maintain a steamboat ferry on the Hudson river, at some point between Stony Point and Fort Montgomery, on said river."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The bill entitled "An act to incorporate the Northam Hydraulic Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Folger	Morris	Parker	Tweed
Cauldwell	Genet	Nichols	Pierce	Van Petten
Chapman	Hubbard	Palmer	Stanford	Williams
Crowley	Mattoon			

17

#### FOR THE NEGATIVE.

Murphy

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize 'The Erie and New England Railroad Company' to establish and maintain a steamboat ferry on the Hudson river, at some point between Stony Point and Fort Montgomery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Stanford
Campbell	Genet	Morris	Palmer	Van Petten
Cauldwell	Hale	Murphy	Parker	Williams
Chapman	Hubbard	Nichols	Pierce	

19

## FOR THE NEGATIVE.

Crowley

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Owego Bridge Company,' passed April 16, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Crowley	Hubbard	Nichols	Stanford
Cauldwell	Folger	Mattoon	Norton	Van Petten
Chapman	Genet	Morris	Palmer	Williams
Creamer	Hale	Murphy	Parker	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Conrad Poppenhusen to found an institution in the village of College Point," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Norton	Tweed
Campbell	Crowley	Murphy	Palmer	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Chapman	Hubbard			

17

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Norton	Thayer
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Murphy	Parker	Van Petten
Chapman	Humphrey	Nichols	Stanford	Williams
Creamer				

21

## FOR THE NEGATIVE.

Folger



*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 353 of the Laws of 1862, relative to the Ten Broeck Free Academy, in the county of Cattaraugus," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Palmer	Thayer
Campbell	Crowley	Mattoon	Parker	Van Petten
Cauldwell	Hale	Morris	Stanford	Williams
Chapman	Hubbard	Nichols		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and of parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Palmer	Thayer
Campbell	Folger	Morris	Parker	Tweed
Cauldwell	Hale	Murphy	Pierce	Van Petten
Chapman	Hubbard	Nichols	Stanford	Williams
Creamer	Humphrey	Norton		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed January 24, 1867,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Stanford
Campbell	Crowley	Humphrey	Palmer	Thayer
Cauldwell	Folger	Mattoon	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the National Safe Deposit Company of the city of New York to complete its organization and commence business," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Thayer
Beach	Creamer	Humphrey	Norton	Tweed
Campbell	Folger	Mattoon	Parker	Williams
Cauldwell	Hale			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Thayer
Beach	Crowley	Mattoon	Parker	Tweed
Campbell	Folger	Morris	Pierce	Van Petten
Cauldwell	Hale	Nichols	Stanford	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Thayer
Beach	Crowley	Mattoon	Palmer	Tweed
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Beach	Crowley	Mattoon	Norton	Thayer
Campbell	Folger	Morris	Parker	Tweed
Cauldwell	Hale	Nichols	Pierce	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Stanford
Beach	Folger	Morris	Norton	Thayer
Campbell	Hale	Murphy	O'Donnell	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Chapman	Humphrey			

22

## FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of supervisors of the county of Chautauqua to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town, to borrow money to pay the existing indebtedness of said town, for highway and bridge purposes, and to repair the highways and bridges therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Thayer
Beach	Crowley	Morris	Parker	Tweed
Campbell	Folger	Murphy	Pierce	Van Petten
Cauldwell	Hale	Nichols	Stanford	Williams
Chapman	Hubbard	Nicks		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the rebuilding of the bridge over the Oswego river, between the towns of Lysander, in Onondaga county, and Schroepfel, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Stanford
Beach	Crowley	Humphrey	Norton	Thayer
Campbell	Folger	Morris	O'Donnell	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams
Chapman				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the purchasing and applying of disinfectants for use in prisons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Norton	Thayer
Beach	Creamer	Morris	Palmer	Van Petten
Campbell	Hale	Nichols	Stanford	Williams
Cauldwell	Hubbard			

17

## FOR THE NEGATIVE.

Folger	Murphy	Parker	Pierce	Tweed
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5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State, and to empower the Cornell Library to transfer certain things and rights to the Cornell University," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Palmer	Thayer
Beach	Crowley	Humphrey	Parker	Tweed
Campbell	Folger	Morris	Pierce	Van Petten
Cauldwell	Genet	Nichols	Stanford	Williams
Chapman	Hale	Norton		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the building of a town house, in the town of Minden, Montgomery county, to be used for a town hall, temporary jail, and engine house," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Nichols	Parker	Tweed
Beach	Creamer	Nicks	Pierce	Van Petten
Campbell	Humphrey	Norton	Stanford	Williams
Cauldwell	Morris	O'Donnell	Thayer	

19

## FOR THE NEGATIVE.

Folger
--------

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act relating to the Lutheran Cemetery in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran Church in said town,' passed March 26, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Norton	Stanford
Beach	Hale	Murphy	Palmer	Thayer
Campbell	Hubbard	Nichols	Parker	Tweed
Cauldwell	Humphrey	Nicks	Pierce	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to preserve order in public meetings, and to protect public halls or buildings used as such, and the property therein or appurtenant," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Palmer	Thayer
Beach	Folger	Morris	Parker	Van Petten
Campbell	Hale	Nicks	Stanford	Williams
Chapman	Hubbard	O'Donnell		

18

## FOR THE NEGATIVE.

Murphy	Norton			
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act requiring the clerk of the county of Onondaga to cause certain maps to be made and filed in his office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Norton	Stanford
Beach	Folger	Morris	Palmer	Thayer
Campbell	Hale	Murphy	Parker	Williams
Cauldwell	Hubbard	Nicks	Pierce	

19

## FOR THE NEGATIVE.

Nichols				
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1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego to issue bonds in aid of the Syracuse Northern Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Chapman	Hubbard	Norton	Pierce	Van Petten

20

## FOR THE NEGATIVE.

Banks	Folger	Nichols	Nicks	Williams
Crowley				

6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to release the title and interest of the people of the State of New York, in and to certain real estate, to Adeline Mullany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Thayer
Beach	Crowley	Morris	O'Donnell	Tweed
Bradley	Folger	Nichols	Palmer	Van Petten
Campbell	Genet	Nicks	Parker	Williams
Chapman	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to incorporations for fishing purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE

Banks	Creamer	Hubbard	Nichols	Parker
Beach	Folger	Humphrey	Nicks	Stanford
Bradley	Genet	Mattoon	Norton	Thayer
Cauldwell	Hale	Morris	Palmer	Van Petten

20

## FOR THE NEGATIVE.

Campbell				
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1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Corcoran Irish Legion Association, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer
Beach	Creamer	Mattoon	Norton	Tweed
Bradley	Crowley	Morris	O'Donnell	Van Petten
Cauldwell	Hale	Nichols	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Nicks	Pierce
Beach	Creamer	Morgan	Norton	Thayer
Bradley	Hale	Morris	O'Donnell	Tweed

Campbell	Hubbard	Nichols	Parker	Williams	21
Cauldwell					

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Norton	Pierce
Beach	Folger	Morgan	O'Donnell	Thayer
Bradley	Hale	Morris	Palmer	Tweed
Campbell	Hubbard	Nichols	Parker	Van Petten
Cauldwell	Humphrey	Nicks		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the opening and improvement of Park avenue, between Clinton avenue and Broadway, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Morgan	Nicks	Pierce
Campbell	Hale	Morris	Norton	Thayer
Cauldwell	Hubbard	Murphy	Palmer	Tweed
Chapman	Humphrey	Nichols	Parker	Van Petten
Creamer	Mattoon			

22

## FOR THE NEGATIVE.

Bradley Genet

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17, 1866, and supplemental thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce
Bradley	Folger	Mattoon	Norton	Tweed
Campbell	Genet	Morgan	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Palmer	Williams
Chapman	Hubbard	Murphy	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse Northern Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Palmer	Thayer
Bradley	Creamer	Nichols	Parker	Tweed
Campbell	Genet	Norton	Pierce	Van Petten
Cauldwell	Hale	O'Donnell		

18

## FOR THE NEGATIVE.

Banks	Folger	Morgan	Nicks	Williams
Crowley	Mattoon			

7

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the police and fire department in the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Nicks	Thayer
Campbell	Hubbard	Morgan	O'Donnell	Van Petten
Cauldwell	Humphrey	Morris	Parker	Williams
Folger				

16

## FOR THE NEGATIVE.

Bradley	Genet	Norton	Pierce	Tweed
Creamer	Nichols			

7

'Mr. Crowley moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to authorize Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortlandt, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	O'Donnell	Thayer
Bradley	Genet	Morgan	Palmer	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Creamer	Hubbard	Nicks	Pierce	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from His Excellency the Governor, through his private Secretary, was received and read, in the words following:



STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, April 7, 1868. }

*To the Legislature:* I deem it my duty to call the attention of the Legislature to the annual Tax Levy of the city of New York.

It is well known that the corporation of the city of New York annually apply to the Legislature for the requisite authority to levy and collect by law such sums of money as may be necessary to maintain and support the city government. The amounts thus called for and authorized have been constantly increased, until the total last year was about \$18,000,000. A sum so large for city government, in addition to other burdens imposed by the State and General Government, may well challenge the closest inquiry. It is, moreover, said that the application in this behalf, the present year, will rather exceed than fall below the extraordinary figures of last session.

This money is collected from the tax payers of New York city by virtue of an act of the Legislature, and it will be admitted, that the provisions of a bill involving so many millions of expenditure, and such vast interests, should receive the most careful scrutiny and rigid examination.

The time and the circumstances under which this most important measure has been heretofore presented to me for my consideration and action, were such that I was unable to examine its various provisions with the care and the time for reflection which the magnitude and importance of the subject demand. Indeed, it has reached the Executive Chamber so late that no opportunity has been afforded to call the attention of the Legislature to any extraordinary appropriation or obnoxious provisions it might contain, and it has been found utterly impracticable to give to the subject any investigation until after the adjournment. In this emergency, it will be seen that, if I had withheld my signature, the city would have been subjected to the great and hazardous inconvenience of having no means to meet its expenditures for the coming year, and the city government must submit to abrupt suspension or be compelled to resort to the uncertain and most expensive expedient of borrowing money to meet its daily and pressing obligations. In view of the embarrassments resulting from such a state of affairs, I have been impelled heretofore, to affix my signature to the bill, entertaining grave doubts of the constitutionality of some of its provisions, and conscious that it contained many items which the Legislature, on further consideration, would have omitted. It has, likewise, been presented to me in a very imperfect state, sometimes not even engrossed, portions of it annexed in the form of riders, easily detached, or others substituted in the place of those acted on by the Legislature, and still other portions written in pencil, easily altered and erased.

My object in this communication is to call the attention of the Legislature to these practices, and I would respectfully request that this important measure receive early consideration; that the bill be engrossed pursuant to the rules of the two Houses, before the signatures of the presiding officers are affixed thereto, and that it may be presented to me for my action at least three days before your final adjournment.

R. E. FENTON.

Mr. Murphy presented a petition of officers of the 2d Division of National Guard, for an appropriation for the support of that Guard for the ensuing year, which was read and referred to the committee on finance.

Also a petition for an act to authorize the laying out of a public high-

way in the towns of New Lots and Flatlands, in the county of Kings, which was read and referred to the committee on roads and bridges.

Mr. Folger presented a petition of Seabury S. Gould, relative to canal bridge at Seneca Falls, which was read and referred to the committee on canals.

Mr. Van Petten presented two petitions of Elias Carpenter and others, of the city of New York, in favor of present Excise laws, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Edwards presented a petition for closing of the Shore road, in Westfield, Richmond county, which was read and referred to the committee on roads and bridges.

Mr. Beach presented a petition of taxpayers of Catskill, for the passage of an act to facilitate the construction of West Shore Hudson River railroad, which was read and referred to the committee of the whole.

Mr. Banks presented a petition of Erastus Corning & Co., James Roy & Co., and others, representatives of 129 others, relative to steam-boilers, for repeal of law of 1867, in relation to steam-boilers, which was read and referred to the committee on manufactures.

Mr. Hubbard presented two petitions of citizens of Otsego, for State aid to complete the Albany and Susquehanna railroad, which were read and referred to the committee of the whole.

Mr. Mattoon presented a remonstrance of citizens of New York and Brooklyn, against repeal of act of 1867, to regulate use of slips, piers and wharves on East river, which was read and referred to the committee on commerce and navigation.

Mr. Williams presented three protests against abandonment of the Bonta bridge, which were read and referred to the committee on roads and bridges.

Mr. Murphy presented resolutions of the common council of the city of New York, against increase of salaries to its own members or other city officers, which were read and referred to the committee on municipal affairs.

Mr. Murphy presented a remonstrance of the common council of the city of Brooklyn, against the passage of an act forcing the Nicholson pavement, or any other particular pavement, upon the city, which was read and referred to the committee on municipal affairs.

Mr. Nichols presented a petition of citizens of Buffalo, for repeal of Niagara Frontier Police, which was read and referred to the committee on municipal affairs.

Mr. Genet presented a petition of property owners, relating to Mount Morris Square, New York, which was read and referred to the committee on municipal affairs.

Mr. Morgan presented a remonstrance of citizens of Honeoye Falls, Monroe county, against amendment of village charter, which was read and referred to the committee on municipal affairs.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the 'East New York Savings Bank,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the National Savings Bank, in the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Graham, from the committee on banks, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 18, 1852," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the 'West Side Savings Bank,' to be located in the city of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the bill entitled "An act to incorporate the Isthmus Canal Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to provide for the election of an additional justice of the peace in the town of Pierrepont, county of St. Lawrence," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to incorporate the Rochester Bridge Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 7, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of Prof. Dalton to the State Agricultural Society, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,500 copies of Prof. Dalton's report to the New York State Agricultural Society, for 1867, upon subject of abortion among cows, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of the Tontine Life and Savings Insurance Company, of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to legalize and confirm certain proceedings of the school meeting held in joint district No. 4 of the towns of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school-house in said district, in voting a tax to purchase such site,

and also build a school-house thereon, and of the trustees of said district in causing said taxes to be levied and collected," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented a communication from the Chamber of Commerce, in reference to the rate of freight on the railroads of the State, which was laid on the table and ordered printed.

(See Doc. No. 84.)

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of Chauncey Lane," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the Security Savings Bank of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend the charter of the Up-town Savings Bank, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Gouverneur Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act making appropriations for the support of Government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act incorporating 'The Newfield Fireman's Association,' of the village of Newfield, county of Tompkins, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the construction of a free bridge over the Seneca river, in the towns of Mentz and Conquest, in Cayuga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to divide the county of Tompkins into two school commissioner districts, and for the election and appointment of a commissioner for the second district therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to enable incorporated rural cemeteries to acquire title to lands where the owner or owners are unwilling to sell, or where the company cannot agree upon the value thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 26, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act creating a separate road district in the village of Fly Creek, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to create a separate road district in the village of Van Hornesville, in the county of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the board of education to establish the rates of tuition, and collect the same, for the academical department of the Union school in school district No. 10, of the town of Warsaw, in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Murphy moved that a committee of two be appointed to wait upon the Honorable the Assembly, and inform that Body that the Senate is prepared to meet them in joint convention to proceed to the election of a Superintendent of Public Instruction.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Murphy and Folger.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessor's series, confirmed September 3, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act to exempt certain property in the city and county of New York from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Tweed asked and obtained leave to introduce a bill entitled "An act in relation to the Marine Court of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act for the relief of St. Joseph's Church, in the city of New York, to amend the act incorporating the same, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the United States Contracting Company," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Cauldwell gave notice that he would, on some future day, ask leave to introduce a bill to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town.

On motion of Mr. Mattoon and by unanimous consent, the rules were

suspended, and the bill entitled "An act, to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the charter of the Tontine Life and Savings Insurance Company, of the city of New York," was re-committed to the committee on insurance, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of 'St. Mary's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes," was recommitted to the committee on charitable and religious societies, with power to report complete.

Mr. Murphy, from the committee appointed to wait upon the Honorable the Assembly, reported that they had discharged their duty.

Messrs. Selkreg and Lawrence, a committee from the Assembly, appeared and announced that the Assembly were ready to meet the Senate in joint convention, for the purpose of electing a Superintendent of Public Instruction.

The hour of 12 o'clock having arrived, in pursuance of law and of a concurrent resolution heretofore adopted in relation to the election of a Superintendent of Public Instruction, the President left the chair and with the Senate proceeded to the Assembly Chamber, and a ballot having been taken, it appeared that the whole number of votes cast was one hundred and forty-two, of which Abram B. Weaver received eighty votes, and Victor M. Rice received sixty-two votes.

Whereupon, the President declared that Abram B. Weaver, having received a majority of all the votes cast, was duly elected Superintendent of Public Instruction for the term of three years, from the first Tuesday of April, 1868.

The Senate having returned to the Senate Chamber, the President announced the foregoing proceedings as having taken place.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Veterans of the Twenty-second Regiment, Fourth Brigade, First Division, National Guard of the State of New York," was recommitted to the committee on militia and public defence, with power to report complete.

On motion of Mr. Pierce, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Germania Savings Banks, Kings county,' passed April 19, 1867," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Creamer and by unanimous consent, the rules were

suspended, and the bill entitled "An act to extend Lexington avenue, in the city of New York," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Canldwell offered the following resolution:

*Resolved*, That Senate bill No. 214, "to create a board of trustees for the town of West Farms, in the county of Westchester, and to define their powers," be recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the placing of an obstruction at the intersection of Big Ditch with Wallkill river," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Public Exchange," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the city of Schenectady to purchase an additional steam fire engine," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 659 of the Laws of 1865, entitled 'An act in relation to the collection of taxes in the city of Utica,'" was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to authorize the building of an iron bridge across the Susquehanna river, at Cooperstown, and to provide for the raising of money therefor," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Van Petten offered the following resolution:

*Resolved*, That Assembly bill No. 76, entitled "An act providing for additional compensation to deputies, clerks and assistants in the various



departments of the State Government," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack Company, formed under said act," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the bill entitled "An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the State Line Bridge Company," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the Board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the committee on literature were authorized to report complete the Assembly bill entitled "An act to incorporate the Wood Library Association."

Mr. Folger moved that the bill entitled "An act to revive, continue and amend the several acts to increase the capital stock and to extend the powers of the Sodus Canal Company," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend chapter 578 of the Laws of 1853, passed July 19, 1853, relative to the jury districts of Steuben county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the Poor Man's Gold and Silver Mining Company, of Idaho, to change its place of business," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on the judiciary, with power to report complete:

Assembly, "An act appointing Guy C. Humphrey, Samuel Nicholas and Chauncey Lumm, commissioners to drain into the Golden Hill creek certain low lands in the towns of Somerset and Hartland, in Niagara



county, and to prevent the overflow of water in said towns, and on lands in the town of Yates, Orleans county."

Assembly, "An act appointing James Van Horn, Lorenzo Webster and Stephen F. Gooding, commissioners for draining certain lands in the towns of Newfane and Hartland, in the county of Niagara."

"An act to provide for the drainage of the lowlands in the south-east part of the town of Cambria, in the county of Niagara."

Mr. Crowley offered the following resolution:

*Resolved*, That the following entitled bills, be referred to the first committee of the whole, not full:

"An act for the relief of Giles Shell and others, owners of lands lying adjacent to Tonawanda creek."

"An act for the relief of John Edwards."

"An act for the relief of Eli A. Bronson."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Morgan, the bill entitled "An act to incorporate the Rochester Bridge Company," was recommitted to the committee on roads and bridges, retaining its place on order of third reading of bills.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and the bill entitled "An act to legalize and confirm certain proceedings of the school meeting held in joint district No. 4, of the towns of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school house in said district, in voting a tax to purchase such site, and also build a school house thereon, and of the trustees of said district in causing said tax to be levied and collected," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Murphy moved that the session of the Senate be extended until after the order of business of "motions and resolutions."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parker offered the following resolution:

*Resolved*, That each Senator have the privilege of putting one bill upon a preferred calendar, which shall constitute a special general order calendar, which shall immediately follow the present preferred calendar and take precedence of other general orders.

Mr. Williams moved to except from the operation thereof, all bills which have been moved forward in committees of the whole, not full.

Mr. Murphy moved to amend the amendment, by confining it to general bills only.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Williams, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act enti-

tled 'An act to amend an act entitled 'An act to provide for the preservation of public health and for draining overflowed lands adjoining Black Lake and its tributaries, in the counties of St. Lawrence and Jefferson, and improving the hydraulic power of Ogdensburgh, and the repeal of chapter 730, of Laws of 1865,' amendatory of chapter 577 of Laws of 1864," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Brooklyn Eye and Ear Infirmary," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the repaving and improving of Union street, from Columbia street to Gowanus canal in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Mattoon offered the following resolution:

*Resolved*, That the committee on finance be discharged from the further consideration of the bill entitled "An act to build an armory in the city of Oswego," and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17th, 1867," was recommitted to the committee on finance, with power to report complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15th, 1847, as amended by act passed March 12th, 1860, and again by act passed March 14th, 1865," was recommitted to the committee on municipal affairs, with power to report complete.

The Senate then took a recess until 4 o'clock, P. M.

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#### FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and the act amendatory thereof, passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act regulating highways and bridges in the counties of Suffolk, Queens and Kings,' passed February 23d, 1830, and acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act concerning the district attorney of the county of Orange,' passed April 29, 1846," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Canal Commissioners to lease the surplus waters of the Champlain canal, at the Fort Edward lock, in the village of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the 'People's Safe Deposit Company, of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from His Excellency the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, April 7, 1868. }

*To the Senate:* I have the honor to transmit a report submitted by Mr. John Jay, a special commissioner appointed to represent the State Board of Managers of the National Cemetery, at Antietam. In addition to much interesting information respecting the management of the Cemetery, the report is accompanied by an official list of the soldiers from this State who fell upon the battle field, authenticated by a careful comparison with original records, and possessing great historic value.

R. E. FENTON.

Said communication was laid on the table and ordered printed.

(See Doc. No. 82.)

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

"An act to incorporate the New York City Central Underground Railway, and to authorize the said company to construct and operate a certain underground railway, in the city of New York."

"An act to incorporate the Arcade Underground Railway Company of the city of New York, and to provide for the construction of the said railway."

"An act to provide for an iron bridge over the artificial outlet of the Seneca lake."

After some time spent therein, the President resumed the chair, and Mr. Thayer, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Thayer, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Parker, the Senate adjourned.

## WEDNESDAY, APRIL 8, 1868.

The Senate met pursuant to adjournment,

Prayer by Rev. Dr. Alden.

The journal of yesterday was read and approved.

Mr. Pierce presented two remonstrances on part of property owners on Hall street, Brooklyn, against constructing railroad on said street, which were read and referred to the committee on railroads.

Mr. Tweed presented a petition of trustees of the New York Medical College Hospital for Women, for aid, which was read and referred to the committee on finance.

Mr. Creamer presented a petition of Major George W. Sauer, for relief, which was read and referred to the committee on militia and public defence.

Mr. Parker presented a petition of 2,207 citizens residing in the city of New York, for the passage of the Arcade Underground railroad, which was read and referred to the committee on railroads.

Mr. Williams presented a petition of citizens of Wayne county, for a law regulating freights on railroads, which was read and referred to the committee on railroads.

Mr. Edwards presented a remonstrance of inhabitants of River Head, against extending time to burn coal-kilns, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Mattoon presented a remonstrance of citizens of New York and Brooklyn, against repeal of act regulating certain slips, piers and wharves, which was read and referred to the committee on commerce and navigation.

Mr. Tweed presented a memorial of the New York Historical Society, for power to found a museum in Central Park, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the National Savings Bank, in the city of Albany."

"An act to incorporate the New York City Central Underground Railway Company, and to authorize said company to construct and operate a certain underground railway in the city of New York."

"An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852."

"An act to provide for an iron bridge over the artificial outlet of the Seneca lake."

"An act to incorporate the East New York Savings Bank."

"An act to incorporate the Isthmus Canal Company."

"An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county."

"An act to incorporate the West Side Savings Bank, to be located in the city of New York."

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the preservation of public health and for draining overflowed lands adjoining Black Lake

and its tributaries in the counties of St. Lawrence and Jefferson, and improving the hydraulic power of Ogdensburgh, and the repeal of chapter 730, of Laws of 1865,' amendatory of chapter 577 of Laws of 1864," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend chapter 659 of the Laws of 1865, entitled 'An act in relation to the collection of taxes in the city of Utica,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled 'An act to incorporate the United States Contracting Company,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to sheriffs," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to authorize the board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to provide for the drainage of the lowlands in the south-east part of the town of Cambria, in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommended the bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on insurance, to which was recommended the bill entitled "An act to amend the charter of the American Tontine Life and Savings Insurance Company of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommended the Assembly bill entitled "An act to incorporate the Public Exchange of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and

counties, to which was recommitted the bill entitled "An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wallkill river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on the militia and public defence, to which was referred the bill entitled "An act to incorporate the Old Guard of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act incorporating the Newfield Fireman's Association of the village of Newfield, county of Tompkins, and State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend chapter 578 of the Laws of 1853, passed July 19, 1853, relative to the jury districts of Steuben county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on the militia and public defence, to which was recommitted the bill entitled "An act to incorporate the Veterans of the Twenty-second Regiment, Fourth Brigade, First Division, National Guard of the State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Stanford, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act declaring the effect of judgments of the courts of countries foreign to the United States," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Messrs. Folger and Williams stated their dissent from said report, which was ordered entered upon the journal.

Mr. Chapman, from the committee on literature, to which was recommitted the bill entitled "An act to legalize and confirm certain proceedings of the school meetings held in joint district No. 4, of the towns of

York, Livingston county, and Pavilion, Genesee county, in designating a site for a school house in said district, in voting a tax to purchase such site, and also build a school house thereon, and of the trustee of said district in causing such taxes to be levied and collected," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Fire Proof Warehousing Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the bill entitled "An act to incorporate the Brooklyn Eye and Ear Hospital," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the bill entitled "An act for the relief of 'St. Mary's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was recommended the bill entitled "An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on railroads, to which was recommended the bill entitled "An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack Company formed under said act," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize certain towns in the counties of Schoharie, Albany, Greene, Delaware and Ulster, to issue bonds and take stock in and for the extension of the Schoharie Valley railroad," reported the same to the Senate for their consideration, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Prospect Park Savings Bank in Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Germania Savings Bank, Kings county,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale moved to take from the table the veto of His Excellency the Governor upon the bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the question: "Shall this bill pass notwithstanding the objections of His Excellency the Governor?"

After debate, and pending the question,

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

Mr. Williams moved to lay the question pending at the time of going into executive session upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Rochester Waterworks Company,' passed April 16, 1852, to increase the capital stock, and authorizing the city of Rochester to aid in the construction of said works, pursuant to section 26 of said act,' passed March 26, 1867," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to enable the electors of the village of Branchport, in the county of Yates, to elect officers and for other purposes," reported as a substitute therefor a bill entitled "An act to enable the electors of any incorporated village of this State, to hold a special election of village officers in certain cases, or to legalize the acts of officers holding over," and recommend its passage, said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to authorize the city of Schenectady to purchase an additional steam fire engine," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter," with power to report complete, reported the same



complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to incorporate the Port Jervis Waterworks Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act authorizing the repaving and improving of Union street, from Columbia street to Gowanus canal, in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the grading of a street in the city of Newburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorize the abatement and prevention of certain nuisances deemed dangerous to the public health in the city of Brooklyn,' passed April 23, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the laws in relation to the village of Carthage,' passed April 6, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the city of Troy to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Gouverneur Waterworks Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relative to the commissioners for the building of a public market in the city of New York, and to pro-

vide for the completion of said market," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to ratify, legalize and confirm the proceedings of the Rochester Waterworks Company," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to fix the salaries of the justices' courts of the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney, of the city of Troy,' passed April 19, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to incorporate the White Plains Waterworks Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the Guardian Trust Savings Institution of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Waddington Canal and Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to legalize certain acts of the town meeting held in the town of Stafford, in the county of Genesee, March 3, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the improvement of the navigation of the De Grasse river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the 'Manufacturers' Savings Bank,' to be located in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for an additional number of trustees of the New York State Institution for the Blind," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to fix the salary of the justices of the peace of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to empower the village of Hornellsville to sell certain real

estate, and to purchase a site for and to build a lock-up, and to extend certain streets in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act for supplying the village of Plattsburgh with pure and wholesome water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, April 7, 1868.

*Resolved*, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return to the Assembly of the Assembly bill No. 254, entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867."

By order,

C. W. ARMSTRONG, Clerk.

*Ordered*, That said resolution be laid on the table.

By unanimous consent, Mr. Genet asked and obtained leave to introduce a bill entitled "An act to secure a building site for the American Institute of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Van Petten asked and obtained leave to introduce a bill entitled "An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Health and Accident Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to incorporate the East New York Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Murphy	Parker
Bradley	Folger	Mattoon	Nichols	Pierce
Cauldwell	Genet	Morgan	Nicks	Tweed
Chapman	Graham	Morris	Palmer	Van Petten
Cresmer	Hubbard			

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Governor having returned the bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Sherburne, and to enlarge the powers of the corporation of said village,' passed March 18, 1859," pursuant to a resolution of the Senate, for correction.

By unanimous consent, the vote on the final passage of said bill was reconsidered, the vote being as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Hale	Nichols	Pierce
Cauldwell	Folger	Hubbard	Nicks	Tweed
Chapman	Genet	Morgan	Norton	Van Petten
Creamer	Graham	Morris	Palmer	Williams
Crowley				21

On motion of Mr. Hubbard and by unanimous consent, said bill was amended by striking out in the first section the words "An act to amend an act entitled."

Said bill, as amended, was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Pierce
Beach	Creamer	Hale	Nichols	Thayer
Bradley	Crowley	Hubbard	Nicks	Tweed
Campbell	Edwards	Mattoon	O'Donnell	Van Petten
Cauldwell	Folger	Morgan	Palmer	Williams
				25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein, as amended.

The bill entitled "An act to incorporate the National Savings Bank in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce
Beach	Edwards	Hubbard	Nichols	Van Petten
Bradley	Folger	Mattoon	O'Donnell	Williams
Cauldwell	Graham	Morgan		
				18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce
Beach	Edwards	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Palmer	Van Petten
Chapman				21

## FOR THE NEGATIVE.

Nicks

Williams

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the West Side Savings Bank, to be located in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Palmer	Thayer
Campbell	Edwards	Mattoon	Pierce	Tweed
Cauldwell	Genet	Norton	Stanford	Van Petten
Chapman	Graham			

17

## FOR THE NEGATIVE.

Banks	Folger	Morgan	Nichols	Nicks
Crowley				

6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Isthmus Canal Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Pierce
Beach	Folger	Morgan	O'Donnell	Stanford
Campbell	Graham	Morris	Palmer	Thayer
Chapman	Hale	Nichols	Parker	Van Petten
Crowley	Hubbard			

22

## FOR THE NEGATIVE.

Bradley	Creamer	Genet	Norton	Tweed
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5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for an additional justice of the peace in the town of Pierrepont, county of St. Lawrence," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Folger	Morgan	Palmer	Thayer
Cauldwell	Genet	Morris	Parker	Tweed
Creamer	Graham	Nichols	Pierce	Van Petten
Crowley	Humphrey	Norton		

23

## FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to constitute a separate road district in the

towns of Fairfield, Manheim and Little Falls, Herkimer county," having been announced for a third reading,

Mr. Van Petten moved to recommit said bill to the committee on roads and bridges, to retain its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the New York City Central Underground Railway Company, and to authorize said company to construct and operate a certain underground railway in the city of New York," having been announced for a third reading,

Mr. Morgan moved to recommit said bill to the committee on railroads, with instructions to amend the same by striking out the amendment made in committee of the whole to the sixth section, being in the words following: "sinking fund of the corporation of the city of New York, and paid over to the commissioners of the sinking fund thereof," and restoring the words erased from said section.

Pending the question, the hour of 1 o'clock having arrived, the Senate took a recess until 4 o'clock p. m.

#### FOUR O'CLOCK, P. M.

The Senate again met.

The President put the question whether the Senate would agree to said motion of Mr. Morgan, pending at the hour of recess, and it was decided in the negative, as follows:

##### FOR THE AFFIRMATIVE.

Chapman	Morgan	Morris	Parker	4
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##### FOR THE NEGATIVE.

Banks	Cauldwell	Folger	Nicks	Van Petten	
Bradley	Crowley	Genet	Palmer	Williams	
Campbell	Edwards	Hubbard	Tweed		14

On motion of Mr. Cauldwell and by unanimous consent, said bill was amended by striking out the 15th section thereof.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

##### FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Thayer	
Beach	Folger	Mattoon	O'Donnell	Tweed	
Campbell	Genet	Morgan	Palmer	Van Petten	
Cauldwell	Graham	Morris	Parker	Williams	
Chapman	Hale	Nichols	Stanford		24

##### FOR THE NEGATIVE.

Bradley	Crowley	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for an iron bridge over the artificial outlet of the Seneca lake," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nicks	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman	Hale	Nichols	Stanford	Williams
Edwards				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act approving lines and grades established under authority of chapter 697 of Laws of 1867," having been announced for a third reading.

On motion of Mr. Genet and by unanimous consent, said bill was amended by inserting in section 1, line 16, after the word "Legislature" the following: "and with the written assent of the majority of the owners of property on the proposed pier and bulkhead lines."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Palmer
Beach	Crowley	Graham	Morris	Parker
Bradley	Edwards	Hubbard	Nichols	Stanford
Campbell	Folger	Mattoon	Nicks	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the diocese of western New York," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the following entitled bills, recommitted to the committee on the judiciary, with power to report complete:

"An act to incorporate the Pullmans Pacific Car Company."

Assembly, "An act to provide for the drainage of the lowlands in the south part of the town of Pendleton, in the county of Niagara."

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to incorporate the Rochester Bridge Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to protect and keep in

repair the Buffalo and Williamsville McAdam road, in the county of Erie," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act creating a separate road district in the village of Fly Creek, Otsego county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to incorporate the State Line Bridge Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the building of an iron bridge across the Susquehanna river at Cooperstown, and to provide for the raising of money therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company of New York city,' passed March 22, 1865," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and the bill entitled "An act relating to the old burying-ground in the village of Fulton, Oswego county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court, in the city of Oswego,' passed March 26, 1849, and the acts amendatory thereof,'" was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to amend an act authorizing the formation of a railroad company to connect the city of Brooklyn, in the county of Kings, with the village of Jamaica, in the county of Queens," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the laws in relation to the village of Carthage,' passed April 6, 1866," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Gouverneur Waterworks Company," was recommitted to the committee on municipal affairs, with power to report complete.



On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Ocean Rock Division No. 80, of the Sons of Temperance, located at Louisville, St. Lawrence county," was recommitted to the committee on charitable and religious societies, with power to report complete.

Mr. Hale offered the following preamble and resolutions:

*Whereas*, It has been charged upon the floor of the Assembly and elsewhere, that large sums of money have been improperly and corruptly expended by persons claiming to represent stockholders, and by other persons claiming to represent directors of the Erie Railway Company, in bribing or attempting to bribe members of that body, and thereby influencing or attempting to influence their action in supporting or opposing a bill relating to said company, recently pending in the Assembly; and whereas, the parties implicated in said charges are understood to be interested in the passage or defeat of certain measures relating to said company now before this Senate; and whereas, reports are current that said parties, or some of them, have been or are now attempting to influence Senators by corrupt and unlawful means; and whereas, such reports, whether true or false, tend to bring this body and the whole Legislature into discredit and public contempt; therefore,

*Resolved*, That this Senate ought, in justice to its own reputation, and in order that corruption and bribery, if they exist, may be exposed and punished, and that calumny and slander, if such charges and reports are false, may be refuted and silenced, before acting upon measures in relation to which such influences are said to be exerted, to investigate as to the truth or falsehood of such charges and reports.

*Resolved further*, That a committee of three be appointed by the President of this body, with power to send for persons and papers, to inquire and ascertain whether the directors or any of the officers of the Erie Railway Company, or any person acting or claiming to act on their behalf, or any stockholders of said company, or any person acting or claiming to act on their behalf, have directly or indirectly paid or offered to pay to any member or members of the Legislature, during the present session, any money or other valuable thing, to influence his or their vote or action, in the Assembly or Senate, or any committee of the Assembly or Senate; and that the consideration of all resolutions and bills relating to or in any way affecting said company, be postponed until the committee hereby appointed shall report.

Mr. O'Donnell moved to amend by adding the following:

*And whereas*, The treasurer of the N. Y. Central railroad did testify before a committee in the Constitutional Convention, that \$205,000 was paid in 1867, to procure the passage of the bill known as the "Central fare bill;" and whereas, the President of another corporation of New York city did testify that he paid \$20,000 to procure legislation; therefore,

*Resolved*, That this committee do further investigate and report to the Senate on the first day of its session in 1869, all of the facts pertaining to the use of money by any, or either of these corporations, to procure legislation in the year 1867, and that for this purpose the committee have power to send for persons and papers.

Mr. Chapman moved to further amend by striking out the words "and that the consideration of all resolutions and bills relating to or in any way affecting said company, be postponed until the committee hereby appointed shall report."

Mr. Folger moved to lay the resolutions and amendments upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morris	Nichols	Parker	
Beach	Hubbard	Murphy	Nicks	Williams	
Chapman	Humphrey				12

## FOR THE NEGATIVE.

Bradley	Crowley	Mattoon	Palmer	Thayer	
Campbell	Edwards	Morgan	Pierce	Tweed	
Cauldwell	Genet	Norton	Stanford	Van Petten	
Creamer	Hale	O'Donnell			18

After debate,

Mr. Folger moved to lay the resolutions and amendments upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker	
Beach	Edwards	Humphrey	Nichols	Stanford	
Campbell	Folger	Morris	Nicks	Williams	15

## FOR THE NEGATIVE.

Bradley	Crowley	Mattoon	O'Donnell	Thayer	
Cauldwell	Genet	Morgan	Palmer	Tweed	
Creamer	Hale	Norton	Pierce	Van Petten	15

Mr. Chapman moved to postpone the further consideration of said resolutions until to-morrow, at 11 o'clock, A. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Nicks	
Beach	Folger	Humphrey	Nichols	Parker	
Chapman	Graham	Morris			13

## FOR THE NEGATIVE.

Bradley	Crowley	Morgan	Pierce	Tweed	
Campbell	Genet	Norton	Stanford	Van Petten	
Cauldwell	Hale	O'Donnell	Thayer	Williams	
Creamer	Mattoon	Palmer			18

Mr. Beach moved to lay said resolutions upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford	
Beach	Graham	Morris	Nicks	Williams	
Chapman	Hubbard	Murphy	Parker		14

## FOR THE NEGATIVE.

Bradley	Crowley	Mattoon	O'Donnell	Thayer	
Campbell	Edwards	Morgan	Palmer	Tweed	
Cauldwell	Genet	Norton	Pierce	Van Petten	
Creamer	Hale				17

Mr. Folger moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker	
Beach	Folger	Humphrey	Nichols	Williams	
Campbell	Graham	Morris	Nicks		

## FOR THE NEGATIVE.

Bradley	Edwards	Morgan	Palmer	Thayer
Cauldwell	Genet	Norton	Pierce	Tweed
Creamer	Hale	O'Donnell	Stanford	Van Petten
Crowley	Mattoon			

17

Mr. Nichols moved to lay said resolutions upon the table until to-morrow evening, at 6 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Folger	Humphrey	Nichols	Williams
Campbell	Graham	Morris	Nicks	

14

## FOR THE NEGATIVE.

Bradley	Edwards	Morgan	Palmer	Thayer
Cauldwell	Genet	Norton	Pierce	Tweed
Creamer	Hale	O'Donnell	Stanford	Van Petten
Crowley	Mattoon			

17

The President then put the question whether the Senate would agree to the amendment offered by Mr. Chapman, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Nicks	Stanford
Beach	Graham	Morris	O'Donnell	Van Petten
Chapman	Hubbard	Murphy	Parker	Williams
Edwards	Humphrey	Nichols		

18

## FOR THE NEGATIVE.

Bradley	Creamer	Hale	Palmer	Thayer
Campbell	Crowley	Mattoon	Pierce	Tweed
Cauldwell	Genet	Norton		

18

Mr. Hale moved to lay the resolutions and amendment upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hale	Norton	Stanford
Cauldwell	Genet	Mattoon	Palmer	Thayer
Creamer	Graham	Murphy	Pierce	Tweed
Edwards				

16

## FOR THE NEGATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Bradley	Crowley	Morgan	Nicks	Van Petten
Campbell	Hubbard	Morris	O'Donnell	Williams

15

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1868," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to lease the surplus waters of the Champlain canal at the Fort Edward lock, in the village of Fort Edward, Washington county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to a State ditch in the towns

of Mentz and Montezuma, Cayuga county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge over the State canal upon Forman street, in the village of Cazenovia," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act in relation to the Black River and St. Lawrence Railway Company, empowering it to apply for appraisal of land on complying with certain conditions, and to use a wood rail in constructing its road."

"An act relative to incorporations for fishing purposes."

"An act to incorporate the Corcoran Irish Legion Association, in the city of New York."

"An act to incorporate the village of Havana in the town of Montour, county of Schuyler, and to repeal its present charter."

"An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to release to August Steilen the interest of the State in certain real estate."

"An act to amend an act entitled 'An act to incorporate the Chenango Valley Savings Bank,' passed April 15, 1857, and revived by an act passed April 20, 1867."

"An act to donate to the Cornell University a collection from the duplicates of fossils and minerals belonging to the State, and to empower the Cornell Library to transfer certain things and rights to the Cornell University."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Genet offered the following resolution:

*Resolved*, That the committee on internal affairs of towns and counties be discharged from the further consideration of the bill entitled "An act to repeal an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police District of the State of New York,' passed April 16, 1866, so far as the same relates to the towns of Newtown, Flushing and Jamaica, in the county of Queens," and that the same be referred to the committee of the whole.

Mr. O'Donnell moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Folger	Nicks	Parker	Van Petten	
Chapman	Hale	O'Donnell	Stanford	Williams	
Crowley	Humphrey	Palmer	Thayer		14

#### FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

Pending the question upon the adoption of the resolution, the hour of 7 o'clock having arrived, the Senate adjourned.

THURSDAY, APRIL 9, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867."

"An act to amend chapter 659 of the Laws of 1865, entitled 'An act in relation to the collection of taxes in the city of Utica.'"

"An act to incorporate the United States Contracting Company."

"An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867."

"An act to incorporate the 'Fire Proof Warehousing Company.'"

"An act to amend the charter of the American Tontine Life and Savings Insurance Company, of the city of New York."

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

"An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

"An act to incorporate the Rochester Bridge Company."

"An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company."

"An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany."

Also as correctly re-engrossed:

"An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate a certain underground railway in the city of New York."

"An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county."

"An act approving lines and grades established under authority of chapter 697 of Laws of 1867."

The bill entitled "An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks  
Beach  
Bradley

Chapman  
Crowley  
Edwards

Humphrey  
Kennedy  
Mattoon

Nichols  
Nicks  
O'Donnell

Stanford  
Tweed  
Van Patten

Campbell	Folger	Morgan	Palmer	Williams	
Cauldwell	Hubbard	Murphy	Parker		24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Rochester Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Tweed	
Bradley	Folger	Morgan	Palmer	Van Petten	
Campbell	Humphrey	Murphy	Parker	Williams	
Cauldwell	Kennedy	Nichols	Stanford		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the preservation of public health, and for draining overflowed lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and improving the hydraulic power of Ogdensburgh, and the repeal of chapter 730 of Laws of 1865,' amendatory of chapter 577 of Laws of 1864,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Thayer	
Beach	Crowley	Humphrey	Palmer	Tweed	
Bradley	Edwards	Kennedy	Parker	Van Petten	
Campbell	Folger	Mattoon	Stanford	Williams	
Cauldwell	Hale				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 659 of the Laws of 1865, entitled 'An act in relation to the collection of taxes in the city of Utica,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Morgan	O'Donnell	Thayer	
Campbell	Hale	Morris	Palmer	Tweed	
Chapman	Hubbard	Murphy	Parker	Van Petten	
Crowley	Humphrey	Nichols	Stanford	Williams	
Edwards	Kennedy				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the United States Contracting Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Morgan	Tweed	
Bradley	Hale	Mattoon	Pierce	Van Petten	
Edwards					11

## FOR THE NEGATIVE.

Banks	Hubbard	O'Donnell	Parker	Thayer	
Campbell	Nichols	Palmer	Stanford	Williams	
Chapman					11

Mr. Tweed moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Stanford	
Beach	Edwards	Kennedy	Nichols	Thayer	
Bradley	Hale	Mattoon	O'Donnell	Tweed	
Campbell	Hubbard	Morgan	Palmer	Van Petten	
Chapman					21

## FOR THE NEGATIVE.

Folger					1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Thayer	
Bradley	Hale	Mattoon	O'Donnell	Tweed	
Campbell	Hubbard	Morgan	Palmer	Van Petten	
Crowley	Humphrey	Morris	Stanford	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Folger	Morgan	Palmer	Tweed
Campbell	Hubbard	Morris	Parker	Van Petten
Cauldwell	Humphrey	Murphy	Pierce	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the American Tontine Life and Insurance Company, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	O'Donnell	Thayer
Beach	Edwards	Mattoon	Palmer	Tweed
Bradley	Folger	Morgan	Parker	Van Petten
Campbell	Hubbard	Morris	Stanford	Williams
Cauldwell	Humphrey	Nichols		23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 578 of the Laws of 1853, passed July 19, 1853, relative to the jury districts of Steuben county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Parker
Beach	Crowley	Kennedy	Nicks	Stanford
Bradley	Edwards	Morgan	O'Donnell	Thayer
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Murphy		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Public Exchange of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Palmer	Thayer
Beach	Edwards	Morgan	Parker	Tweed
Campbell	Hubbard	Morris	Pierce	Van Petten
Cauldwell	Humphrey	Norton	Stanford	19

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.



The bill entitled "An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hellgate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce
Beach	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	Palmer	Thayer
Campbell	Hale	Morris	Parker	Van Petten
Chapman	Hubbard			

22

## FOR THE NEGATIVE.

Cauldwell	Tweed	
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Fire Proof Warehousing Company," having been announced for a third reading,

Mr. Murphy moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Excelsior Temple of Honor No. 23, of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Parker
Bradley	Crowley	Kennedy	Nicks	Stanford
Campbell	Edwards	Mattoon	Norton	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Nichols	Stanford
Cauldwell	Folger	Kennedy	Nicks	Thayer
Chapman	Graham	Morgan	Norton	Van Petten
Crowley	Hale	Morris	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hubbard	O'Donnell	Stanford
Campbell	Edwards	Humphrey	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale			

17

## FOR THE NEGATIVE.

Banks	Folger	Nichols	Nicks	Williams
Crowley	Morgan			

7

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to incorporate the United States Contracting Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Stanford
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Folger	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris	Pierce	Williams
Creamer	Hubbard			

22

## FOR THE NEGATIVE.

Chapman				
---------	--	--	--	--

1

Said bill, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Thayer
Cauldwell	Hale	Morgan	Parker	Tweed
Creamer	Hubbard	Morris	Pierce	Van Petten
Edwards	Humphrey			

22

## FOR THE NEGATIVE.

Chapman				
---------	--	--	--	--

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Germania Savings Bank, Kings county,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Morris	Stanford
Campbell	Graham	Kennedy	Nicks	Thayer

Cauldwell	Hale	Mattoon	O'Donnell	Van Petten	
Chapman	Hubbard	Morgan	Parker		19

## FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	Parker	
Bradley	Crowley	Hale	Morgan	Pierce	
Cauldwell	Edwards	Humphrey	Nichols	Thayer	
Chapman	Genet	Kennedy	Norton	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the Fire Department of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Stanford	
Beach	Creamer	Humphrey	Nichols	Van Petten	
Bradley	Folger	Kennedy	Norton	Williams	
Cauldwell	Genet	Morgan	Palmer		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the State Line Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Morris	Norton	Stanford	
Cauldwell	Folger	Murphy	Palmer	Tweed	
Chapman	Humphrey	Nichols	Parker	Van Petten	
Creamer	Kennedy	Nicks	Pierce	Williams	
Crowley	Morgan				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message, informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the building of an iron bridge across the Susquehanna river at Cooperstown, and to provide for the raising of money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Nichols	Thayer
Bradley	Crowley	Kennedy	Nicks	Tweed
Campbell	Edwards	Morgan	O'Donnell	Van Petten
Cauldwell	Folger	Morris	Parker	Williams
Chapman	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Kennedy moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act in relation to the Police and Fire Department of the city of Syracuse."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nicks	Pierce
Campbell	Genet	Morgan	O'Donnell	Stanford
Cauldwell	Hale	Morris	Palmer	Thayer
Chapman	Humphrey	Nichols	Parker	Williams
Creamer	Kennedy			

22

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	O'Donnell	Stanford
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Creamer	Kennedy	Norton		

23

## FOR THE NEGATIVE.

Bradley 1  
*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Pierce presented a petition of citizens of Brooklyn, in favor of the Park Savings Bank, which was read and referred to the committee of the whole.

Mr. Banks presented two petitions of citizens of Albany and Cohoes, for repeal of law relative to steam-boilers, which were read and referred to the committee on manufactures.

Mr. Folger presented three petitions of citizens of Geneva, for pro rata freight tariff on railroads, which were read and referred to the committee on railroads.

Mr. Banks presented a petition of Jeremiah Flood, relative to his claim, which was read and referred to the committee on claims.

Mr. Mattoon presented a remonstrance of citizens of Port Gibson, against repeal of act of 1867, to regulate certain slips, piers and wharves in the East river, which was read and referred to the committee on commerce and navigation.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of an elevated corrugated iron railway in the counties of New York and Westchester," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize rail tracks in Lexington avenue, and other streets, in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Erie Railway Company to lay down railroad track through certain streets in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to provide for the transportation of letters, packages and merchandise, in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Cornwall Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points at or below Butter Hill, in the Highlands, to some pass or point opposite thereto on the east side of said river," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act relating to the old burying ground in the village of Fulton, Oswego county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to fines for intoxication," reported adversely thereto.

Mr. Tweed stated his dissent from the report, which was ordered entered on the journal.

Mr. Genet moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Nichols	Pierce	
Bench	Genet	Murphy	Norton	Tweed	
Bradley	Graham				12

#### FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

Mr. Genet moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Pierce
Beach	Creamer	Morris	Norton	Tweed
Bradley	Genet	Murphy		

13

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

Mr. Murphy moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed

15

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

## FOR THE NEGATIVE.

Banks	Creamer	Graham	Murphy	Norton
Bradley	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Genet	Morris		

13

Mr. Van Petten moved to reconsider the vote just taken.

Mr. Norton moved to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Genet	Morris	Norton	

14

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal an act to regulate the sale of intoxicating liquors within the Metropolitan Police District of the State of New York," passed April 16, 1866, so far as the same relates to the towns of Newtown, Flushing and Jamaica, in the county of Queens," reported adversely thereto.

Mr. Tweed stated his dissent from the report, which was ordered entered on the journal.

Mr. Genet moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton	
Beach	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	15

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

Mr. Genet moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE

Banks	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Norton		14

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

Mr. Norton moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Norton	
Bradley	Edwards	Mattoon	Nichols	Tweed	
Cauldwell	Genet	Morris			13

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

## FOR THE NEGATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Cauldwell	Genet	Morris	Norton	Tweed
Creamer	Graham	Murphy		

18

Mr. Van Petten moved to reconsider the vote just taken.

Mr. Creamer moved to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Genet	Morris	Nichols	Pierce
Creamer	Graham	Murphy	Norton	Tweed
Edwards	Hubbard			

12

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

Mr. Tweed moved to lay upon the table and make it the special order to-morrow morning, immediately after reading the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Genet	Morris	Norton	

14

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

The President then put the question whether the Senate would agree to said motion of Mr. Van Petten to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Morris	Nichols	Pierce
Bradley	Graham	Murphy	Norton	Tweed
Cauldwell	Hubbard			

12

## FOR THE NEGATIVE.

Campbell	Folger	Kennedy	O'Donnell	Thayer
Chapman	Hale	Morgan	Palmer	Van Petten
Crowley	Humphrey	Nicks	Parker	Williams

15

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to regulate the sale of ales, wines and spirituous liquors, in the Metropolitan Police District of the State of New York," reported adversely thereto.



Mr. Tweed stated his dissent from the report, which was ordered entered on the journal.

Mr. Creamer moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

Pending the question,

Mr. Kennedy moved that the Senate take a recess until 4 o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	O'Donnell	
Chapman	Graham	Mattoon	Nichols	Palmer	
Crowley	Hale	Morris	Nicks	Williams	15

FOR THE NEGATIVE.

Bradley	Creamer	Genet	Morgan	Tweed	
Campbell	Edwards	Hubbard	Thayer	Van Petten	
Cauldwell					11

Whereupon, the Senate took a recess until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate again met.

The President put the question whether the Senate would agree to said motion of Mr. Creamer, pending at time of recess, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Tweed	
Bradley	Edwards	Morris	Norton		14

FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce	
Bradley	Edwards	Morris	Norton	Tweed	
Cauldwell	Genet	Murphy			18

Mr. Van Petten moved to reconsider the vote just taken.

Mr. Creamer moved to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Norton	
Bradley	Edwards	Morris	Nichols	Tweed	
Cauldwell	Genet				12

## FOR THE NEGATIVE.

Campbell	Hale	Mattoon	O'Donnell	Stanford
Chapman	Humphrey	Morgan	Palmer	Thayer
Crowley	Kennedy	Nicks	Parker	Van Petten
Folger				

16

The question being on the motion to reconsider,

Mr. Bradley moved to postpone the question for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Murphy	Morris	Tweed
Cauldwell	Genet			

12

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

The President then put the question whether the Senate would agree to said motion of Mr. Van Petten to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Morris	Norton	Tweed
Cauldwell	Genet	Murphy		

18

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger	Mattoon			

17

Mr. Thayer, from the committee on canals, to which was referred the bill entitled "An act in relation to supplying the State Lunatic Asylum with water," reported in favor of the passage of the same, with amendments.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Thayer, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the President, Managers and Company of the Delaware and Hudson Canal Company,' passed April 23, 1823," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Thayer, from the committee on manufactures, to which was recommended the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the running of boats on South and Hamilton ferries, Brooklyn," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to incorporate the Wood Library Association, of Canandaigua," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Clinton Liberal Institute,' passed April 29, 1834, by changing the method of electing its trustees," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the bill entitled "An act to incorporate the Ocean Rock Division No. 30, of the Sons of Temperance, located at Louisville, St. Lawrence county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from a majority of the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property for the use of the presiding elders of the Methodist Episcopal Church,' passed April 5, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Evangelical Lutheran Synod, of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommended the bill entitled "An act to amend an act entitled 'An act to incorporate the Morrisania Savings Bank,' passed May 1, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Householders' Mutual Savings Bank, in the city of New York," reported that they have made some amendments thereto, and amended the title so as to read "An act to incorporate the Mutual Benefit Savings Bank, in the city of New York," and as amended, report the same to the Senate for its consideration; said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommended the Assembly bill entitled "An act to incorporate the Green Point Savings Bank," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to repeal the charter of the Bellvale Turnpike Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to create a separate road district in the village of Van Hornesville, in the county of Herkimer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was

referred the Assembly bill entitled "An act to authorize a special town meeting in the towns of Brutus and Cato, in the county of Cayuga, to determine relative to rebuilding the Bonta bridge, in said county, and a bridge between Brutus, Mentz and Conquest," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of James W. Smith for relief, reported by bill entitled "An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the town of Bushwick, county of Kings, formerly lying in the East river," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to incorporate the Pullman Pacific Car Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the diocese of Western New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to authorize the Poorman Gold and Silver Mining Company, of Idaho, to change its place of business," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company, of New York city,' passed March 22, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to ratify and legalize, and confirm the proceedings of 'The Rochester Waterworks Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to incorporate the Gouverneur Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court, in the city of Oswego,' passed March 26, 1849, and the acts amendatory thereof,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend the laws in relation to the village of Carthage,' passed

April 6, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Edwards offered the following resolution:

*Resolved*, That the bill entitled "An act to amend an act to protect the woodlands in Suffolk county against destruction by fire, passed April 7, 1847," be recommitted to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to sheriffs," was recommitted to the committee on the judiciary, with power to report complete.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act to encourage and aid in the construction of railroads in this State; to provide the means therefor and to prescribe the manner in which the same shall be expended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of the towns of Fort Edward and Hebron, in Washington county, and of Stephen Van Dresar, of the town of Rome, Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Willis Barber," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the care and custody of children committed to the house provided by the city of Rochester for the reception of idle and truant children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess," which was read the first time, and by unani-

mous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the acts of Byron Paine, as justice of the peace for the town of Warren, county of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the removal and construction of certain canal bridges in the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to make the village of Lisle, in the county of Broome, a separate road district, and to confer additional powers upon the trustees of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nichols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck lake, in Cayuga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue, to Woodside, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act to incorporate the National Savings Institution of the city of New York, passed April 20, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the construction of an iron bridge over the Champlain canal, in the village of Fort Edward," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to provide for the laying out and opening of a public highway in the town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize George W. Snyder, Frederick Snyder and John P. Kimble, to abandon a part of their turnpike road, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to repeal chapter 353 of the Laws of 1867, entitled 'An act to change the town lines of the towns of Boonville and Ava, in the county of Oneida,' passed April 12, 1867," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854, and the several acts amendatory thereof and supplemental thereto, or affecting the same,' passed April 28, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the board of education of Union School district No. 1, in the town of Westfield, Chautauqua county, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widening of Middle street, in said city, and changing the name of same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to divide the Eighth and Tenth wards, and create a new ward in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to widen Vanderbilt avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Breman and Crogan, in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the assessment of taxes, amending the Revised Statutes on that subject," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to divide the town of Pierrepont," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act requiring the board of supervisors of Monroe county to pay the assessors of the city of Rochester for services under chapter 592 of the Laws of 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the better regulation of the Fire Department of the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the formation of loan, guarantee, and warehousing companies," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Old Guard of the city of New York," was recommitted to the committee on militia and public defence, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Working Women's Protective Union," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of St. Joseph's Church, in the city of New York, and to amend the act incorporating the same, and for other purposes," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the appointment of additional notaries public in the city of New York," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act relative to the commissioners for the building of a public market in the city of New York, and to provide for the completion of said market," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the White Plains Waterworks Company," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to grant to William Orton, Charles C. Leigh and Charles Havard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," was recommitted to the committee on commerce and navigation, with power to report complete.

Mr. Palmer offered the following resolution:

*Resolved*, That 300 extra copies of the annual report of the Managers of the Hudson River State Hospital for the Insane, be printed for the use of the Senate, and 200 copies for the Managers.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the following entitled Assembly bills recommitted to the committee on municipal affairs, with power to report complete:

"An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain, and city attorney, of the city of Troy,' passed April 19, 1867."

"An act to authorize the city of Troy to borrow money."

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate 'The Sixth Avenue Savings Bank, of the city of New York,'" was recommitted to the committee on banks, with power to report complete.

Mr. Banks offered the following resolution:

*Resolved*, That a respectful message be sent to the Honorable the As-



sembly, requesting that body to return to the Senate the Assembly bill entitled "An act to incorporate the Bickum Cholim Benevolent Society, of Newburgh."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Beach offered the following resolution:

*Resolved*, That 1,000 extra copies of the report of the special Commissioner representing the State in the Board of Managers of the Antietam National Cemetery, be printed for the use of the Senate, and 500 additional copies for the Adjutant-General of the State of New York.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on the judiciary, with power to report complete:

"An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837."

"An act in relation to appeals from decisions of Canal Appraisers."

Mr. Hale moved to take from the table the resolutions offered by him, in the words following:

*Whereas*, It has been charged upon the floor of the Assembly and elsewhere, that large sums of money have been improperly and corruptly expended by persons claiming to represent stockholders, and by other persons claiming to represent directors of the Erie Railway Company, in bribing or attempting to bribe members of that body, and thereby influencing or attempting to influence their action in supporting or opposing a bill relating to said company, recently pending in the Assembly; and whereas, the parties implicated in said charges are understood to be interested in the passage or defeat of certain measures relating to said company now before this Senate; and whereas, reports are current that said parties, or some of them, have been or are now attempting to influence Senators by corrupt and unlawful means; and whereas, such reports, whether true or false, tend to bring this body and the whole Legislature into discredit and public contempt; therefore,

*Resolved*, That this Senate ought, in justice to its own reputation, and in order that corruption and bribery, if they exist, may be exposed and punished, and that calumny and slander, if such charges and reports are false, may be refuted and silenced, before acting upon measures in relation to which such influences are said to be exerted, to investigate as to the truth or falsehood of such charges and reports.

*Resolved further*, That a committee of three be appointed by the President of this body, with power to send for persons and papers, to inquire and ascertain whether the directors or any of the officers of the Erie Railway Company, or any person acting or claiming to act on their behalf, or any stockholders of said company, or any person acting or claiming to act on their behalf, have directly or indirectly paid or offered to pay to any member or members of the Legislature, during the present session, any money or other valuable thing, to influence his or their vote or action, in the Assembly or Senate.

The President stated the question to be on the amendment of Mr. O'Donnell, in the words following:

*And whereas*, The treasurer of the N. Y. Central railroad did testify before a committee in the Constitutional Convention, that \$205,000 was paid in 1867, to procure the passage of the bill known as the "Central

fare bill;" and whereas, the President of another corporation of New York city did testify that he paid \$20,000 to procure legislation; therefore,

*Resolved*, That this committee do further investigate and report to the Senate on the first day of its session in 1869, all of the facts pertaining to the use of money by any, or either of these corporations, to procure legislation in the year 1867, and that for this purpose the committee have power to send for persons and papers.

Debate was had thereon, when

Mr. Creamer moved to lay the resolutions and amendment upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Norton	Tweed	
Cauldwell	Crowley	Murphy			8

FOR THE NEGATIVE.

Banks	Folger	Kennedy	Nicks	Stanford	
Beach	Graham	Mattoon	O'Donnell	Thayer	
Campbell	Hale	Morgan	Palmer	Van Petten	
Chapman	Hubbard	Morris	Parker	Williams	
Edwards	Humphrey	Nichols	Pierce		24

The President then put the question whether the Senate would agree to said amendment offered by Mr. O'Donnell, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	
Folger	Morris				12

FOR THE NEGATIVE.

Banks	Chapman	Graham	Morgan	Palmer	
Beach	Creamer	Hale	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Thayer	
Cauldwell	Genet	Kennedy	Norton		19

The hour of 7 o'clock having arrived, the Senate adjourned.

FRIDAY, APRIL 10, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Russell.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867."

"An act relating to the old burying ground in the village of Fulton, Oswego county."

"An act to incorporate the Veterans of the Twenty-second Regiment, Fourth Brigade, First Division, National Guard of the State of New York."

"An act to legalize and confirm certain proceedings of school meetings held in joint district No. 4, of the towns of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school house

in said district, in voting a tax to purchase such site, and also build a school house thereon, and of the trustee of said district in causing such taxes to be levied and collected."

"An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack company formed under said act."

"An act to incorporate the Producers' and Dealers' Milk Company."

"An act to authorize the city of Schenectady to purchase an additional steam fire engine."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Rochester Waterworks Company,' passed April 16, 1852, to increase the capital stock, and authorizing the city of Rochester to aid in the construction of said works, pursuant to section 26 of said act,' passed March 26, 1867, and to repeal certain sections of an act entitled 'An act to authorize the city of Rochester to sell the stock of the Rochester and Genesee Valley Railroad Company, and to assist in the construction of waterworks.'"

"An act to provide for the drainage of the lowlands in the south-east part of the town of Cambria, in the county of Niagara."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 7, 1867."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The bill entitled "An act to incorporate the Veterans of the Twenty-second Regiment, Fourth Brigade, First Division, National Guard of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Palmer	
Campbell	Crowley	Hubbard	Nichols	Stanford	
Cauldwell	Edwards	Humphrey	Norton	Tweed	
Chapman	Graham	Kennedy	O'Donnell		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Wood Library Association of Canandaigua," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Stanford	
Campbell	Edwards	Humphrey	Norton	Thayer	
Cauldwell	Folger	Kennedy	O'Donnell	Tweed	
Chapman	Graham	Morgan	Palmer	Williams	
Creamer	Hale				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide for the drainage of the lowlands

in the south-east part of the town of Cambria, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Nichols	Stanford
Campbell	Edwards	Hubbard	Norton	Thayer
Cauldwell	Folger	Kennedy	O'Donnell	Tweed
Chapman	Genet	Morgan	Parker	Williams
Creamer	Graham			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the placing of an obstruction at the intersection of Big ditch with the Walkill river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Pierce
Campbell	Edwards	Humphrey	Norton	Thayer
Cauldwell	Genet	Kennedy	O'Donnell	Tweed
Chapman	Graham	Morgan	Palmer	Williams
Creamer	Hale	Murphy	Parker	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize and confirm certain proceedings of the school meetings held in joint district No. 4, of the towns of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school house in said district, in voting a tax to purchase such site, and also build a school house thereon, and of the trustee of said district in causing such taxes to be levied and collected," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Parker
Campbell	Edwards	Humphrey	Norton	Stanford
Cauldwell	Genet	Kennedy	O'Donnell	Thayer
Chapman	Graham	Morgan	Palmer	Tweed
Creamer	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack Company formed under said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	O'Donnell	Stanfor
Campbell	Genet	Humphrey	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Creamer	Hale	Nichols	Pierce	

## FOR THE NEGATIVE.

Banks

*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to an act entitled 'An act to incorporate the Rochester Waterworks company,' passed April 16, 1852, to increase the capital stock, and a ing the city of Rochester to aid in the construction of said wor suant to section 26 of said act,' passed March 26, 1867, and to certain sections of an act entitled 'An act to authorize the Rochester to sell the stock of the Rochester and Genesee Vall road Company, and to assist in the construction of waterworks, read a third time.

The President put the question whether the Senate would a the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	O'Donnell	Stanfor
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Graham	Murphy	Parker	Tweed
Chapman	Hale	Nichols	Pierce	William
Creamer	Hubbard	Nicks		

*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

By unanimous consent, Mr. Crowley offered the following res

*Resolved*, That the Canal Board be requested to report to the at once, in general terms, the present condition of the canal State, and whether any legislation is called for to enable the of charge thereof to put them in proper repair and open them for tion at the usual time, and to keep them in repair during the se navigation.

The President put the question whether the Senate would a said resolution, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Brooklyn Eye Hospital," was read a third time.

The President put the question whether the Senate would a the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Humphrey	Nichols	Parker
Cauldwell	Genet	Kennedy	Nicks	Pierce
Chapman	Hale	Morgan	O'Donnell	Tweed
Creamer	Hubbard	Murphy	Palmer	William

*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The bill entitled "An act to authorize the city of Schenectady to purchase an additional steam fire engine," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Palmer
Campbell	Folger	Humphrey	Nichols	Parker
Cauldwell	Genet	Kennedy	Nicks	Pierce
Chapman	Graham	Morgan	O'Donnell	Williams
Creamer	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Parker
Campbell	Folger	Humphrey	Nicks	Pierce
Cauldwell	Genet	Kennedy	O'Donnell	Thayer
Chapman	Graham	Morris	Palmer	Williams
Creamer	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the repaving and improving of Union street, from Columbia street to Gowanus canal, in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Nichols	Pierce
Campbell	Graham	Morgan	Nicks	Stanford
Cauldwell	Hale	Morris	O'Donnell	Thayer
Creamer	Hubbard	Murphy	Palmer	Williams
Edwards				

21

## FOR THE NEGATIVE.

Chapman

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

1

The bill entitled "An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morris	Pierce
Campbell	Folger	Humphrey	Nichols	Stanford
Cauldwell	Genet	Kennedy	Nicks	Thayer
Chapman	Graham	Morgan	O'Donnell	William
Creamer				

*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The bill entitled "An act relating to the old burying ground village of Fulton, Oswego county," was read a third time.

The President put the question whether the Senate would a the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Murphy	O'Donne
Campbell	Edwards	Kennedy	Nichols	Palmer
Cauldwell	Genet	Morgan	Nicks	Pierce
Chapman	Hubbard	Morris		

FOR THE NEGATIVE.

Folger	Hale	Thayer
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*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The bill entitled "An act to incorporate the Producers' and Milk Company," was read a third time.

The President put the question whether the Senate would a the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morris	Palmer
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Genet	Kennedy	Nicks	Stanford
Chapman	Graham	Morgan	O'Donnell	Thayer
Creamer	Hale			

FOR THE NEGATIVE.

Murphy	Williams
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*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The Assembly bill entitled "An act to incorporate the Gree Savings Bank," was read a third time.

The President put the question whether the Senate would a the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Pierce
Campbell	Folger	Kennedy	O'Donnell	Stanford
Cauldwell	Graham	Morgan	Palmer	Thayer
Chapman	Hale	Morris	Parker	William
Creamer	Hubbard	Murphy		

*Ordered*, That the Clerk return said bill to the Assembly, with sage informing that the Senate have concurred in the passage same, with amendments.

The bill entitled "An act to incorporate the Ocean Rock Division No. 30, of the Sons of Temperance, located at Louisville, St. Lawrence county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Creamer	Humphrey	Nicks	Stanford
Bradley	Crowley	Kennedy	O'Donnell	Thayer
Campbell	Edwards	Mattoon	Palmer	Tweed
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Morrisania Savings Bank,' passed May 1, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Humphrey	Morris	Thayer
Campbell	Edwards	Kennedy	Nichols	Tweed
Cauldwell	Graham	Mattoon	O'Donnell	Williams
Chapman	Hale	Morgan	Palmer	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Pullman Pacific Car Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Hale	Mattoon	O'Donnell
Campbell	Edwards	Hubbard	Morgan	Stanford
Cauldwell	Folger	Humphrey	Nichols	Tweed
Creamer	Graham	Kennedy	Norton	Williams

20

## FOR THE NEGATIVE.

Banks	Palmer	Thayer
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8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to ratify, legalize and confirm the proceedings of 'The Rochester Waterworks Company,'" having been announced for a third reading,

Mr. Morgan moved to recommit the same to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate the Gouverneur Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Morris	Pierce
Campbell	Folger	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	O'Donnell	Tweed
Creamer	Hale	Morgan	Parker	Willian
Crowley	Hubbard			

*Ordered*, That the Clerk return said bill to the Assembly, with sage informing that the Senate have concurred in the passage same, with amendments.

The Assembly bill entitled "An act to amend an act entitled to amend the laws in relation to the village of Carthage," pass 6, 1866," was read a third time.

The President put the question whether the Senate would : the final passage of said bill, and it was decided in the affirm majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Mattoon	O'Donn
Bradley	Crowley	Hubbard	Morgan	Thayer
Campbell	Edwards	Humphrey	Morris	Tweed
Cauldwell	Genet	Kennedy	Nichols	Willian
Chapman	Graham			

*Ordered*, That the Clerk return said bill to the Assembly, with sage informing that the Senate have concurred in the passage same, without amendment.

Mr. Hale moved to take from the table the veto message of H lency the Governor upon the bill entitled "An act to aid in the c tion of the Whitehall and Plattsburgh railroad."

The President put the question whether the Senate would agre motion to take from the table, and it was decided in the affirma

The question being "Shall this bill pass notwithstanding tl tions of the Governor?"

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Pierce	Tweed
Cauldwell	Genet	Norton	Thayer	

## FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Murphy	Palmer
Beach	Folger	Mattoon	Nichols	Parker
Campbell	Graham	Morgan	Nicks	Stanfo
Chapman	Hubbard	Morris	O'Donnell	Willian
Crowley	Humphrey			

Mr. Folger moved to lay the question upon the table.

The President put the question whether the Senate would agre motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Graham	Morris	Norton	Parker
Crowley	Hubbard	Nichols	Palmer	Willian
Folger	Kennedy	Nicks		

## FOR THE NEGATIVE.

Banks	Edwards	Humphrey	Murphy	Stanford
Bradley	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Pierce	Tweed
Creamer				

16

Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Folger	Norton	Tweed
Cauldwell	Crowley	Murphy		

8

## FOR THE NEGATIVE.

Banks	Graham	Kennedy	Nicks	Stanford
Beach	Hale	Morgan	O'Donnell	Thayer
Chapman	Hubbard	Morris	Palmer	Williams
Edwards	Humphrey	Nichols	Parker	

19

The hour of 1 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question "Shall the bill entitled 'An act to aid in the construction of the Whitehall and Plattsburgh railroad,' be passed notwithstanding the objections of the Governor?"

The President then put the question "Shall said bill pass notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Murphy	Stanford
Bradley	Genet	Hubbard	Norton	Thayer
Cauldwell	Graham	Morgan	Pierce	Tweed
Chapman				

16

## FOR THE NEGATIVE.

Campbell	Folger	Kennedy	Nichols	Palmer
Crowley	Humphrey	Morris	O'Donnell	Williams
Edwards				

11

Mr. Folger moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Edwards	Mattoon	Murphy	Pierce
Chapman	Folger	Morgan	Nichols	Tweed
Creamer	Graham	Morris	Norton	Williams
Crowley,	Kennedy			

17

## FOR THE NEGATIVE.

Banks	Hale	Humphrey	Palmer	Stanford
Bradley	Hubbard			

7

The President directed the Sergeant-at-Arms to bring in absent Senators.

Mr. Folger moved to dispense with further proceedings under the call.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger moved to reconsider the vote upon the question "Shall the bill entitled 'An act to aid in the construction of the Whitehall and Plattsburgh railroad,' pass notwithstanding the objections of the Governor?"

Mr. O'Donnell raised the point of order: that under section 9, article 4 of the Constitution of the State, after a veto by the Governor has been considered by the Senate and voted on, it is not in order to reconsider the vote.

The President put the question "Shall the point of order raised by Mr. O'Donnell be sustained?" and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Murphy	Palmer	Thayer	
Cauldwell	Hubbard	Norton	Stanford	Tweed	
Graham	Mattoon	O'Donnell			18

## FOR THE NEGATIVE.

Bradley	Crowley	Humphrey	Morris	Parker	
Campbell	Edwards	Kennedy	Nichols	Pierce	
Chapman	Folger	Morgan	Nicks	Williams	
Creamer	Genet				17

The question being on the motion of Mr. Folger to reconsider,

Mr. Hale moved to lay that question upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Norton	Stanford	
Bradley	Genet	Hubbard	O'Donnell	Thayer	
Campbell	Graham	Murphy	Pierce	Tweed	
Cauldwell					16

## FOR THE NEGATIVE.

Chapman	Folger	Mattoon	Nichols	Parker	
Crowley	Humphrey	Morgan	Nicks	Williams	
Edwards	Kennedy	Morris	Palmer		14

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Moresville Turnpike Company,' passed April 22, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the trustees of the village of Greene, Chenango county, to raise money to purchase hose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to draining certain bog and swamp lands in the towns of De Witt and Onondaga, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend section 1 of chapter 537 of Laws of 1866, entitled 'An act authorizing the changing the course of the creek running through the village of Westville, in the county of Otsego,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the transmission of letters, packages and merchandise, in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the

waters of said rivers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act appointing commissioners to investigate the cost and expenditures of building a bridge across the Sacandaga river at Northville, in the town of Northampton, and to provide for the payment of any balance thereof unpaid by said town of Northampton," which was read the first and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for widening the Coney Island Plankroad, in the county of Kings, and for the subsequent management thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act incorporating the Wallkill Valley Railroad Company, by authorizing said corporation to extend its road to Kingston, Ulster county, and to authorize certain towns in Ulster county to issue bonds to aid in the construction of said road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act releasing the interest of the people of the State of New York to certain lands and premises to Mary Wilson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Owego Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the proceedings of Henry H. Hatheway, as justice of the peace of the town of Lenox, Madison county, in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the executor of the last will and testament of Peter Ten Broeck, deceased, to pay to the trustees of the 'Ten Broeck Free Academy' the legacy bequeathed by said will for the use of said Academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the Sidney and Unadilla Bridge Company,' passed April 27, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the building of a bridge across Beaver Dam creek, in the town of Southampton, in Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the laying out of a public highway in the town of Flushing, in the county of Queens," which was read the first time; and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the village of Ovid, in the county of Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Dutchess,' passed April 17, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend the charter of the American Bureau of which was read the first time, and by unanimous consent was a the second time, and referred to the committee on the judiciary.

"An act to provide for the payment of certain fines and penal lected in the city and town of Newburgh, in the county of Or the commissioners of the alms house of said city and town," wh read the first time, and by unanimous consent was also read the time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act for the improvement in and near the Wallabout bay, in the city of Brooklyn, and fo out and constructing a basin, dock, and streets therein,' passed 1867," which was read the first time, and by unanimous cons also read the second time, and referred to the committee on co and navigation.

The Assembly returned the following entitled bill, with a mess they had non-concurred in the amendments of the Senate thereto

"An act to repeal the act entitled 'An act to enlarge the pow define the duties of the Contracting Board,' passed March 14, 18 to repeal the act entitled 'An act to amend the act entitled 'A enlarge the powers and duties of the Contracting Board,' passe 14, 1857; passed April 23, 1867; and to define the method in w repairs of the canals shall be hereafter conducted.' "

Mr. Nichols moved that the Senate do recede from their ame to said entitled bill.

Mr. Stanford moved to amend said motion by striking out th "do recede from" and inserting in lieu thereof the words "d upon."

The President put the question whether the Senate would agre motion of Mr. Stanford, and it was decided in the affirmative, as

#### FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Stanfor
Chapman	Humphrey	Morgan	Palmer	Thayer
Crowley	Kennedy	Nicks	Parker	Willian
Folger				

#### FOR THE NEGATIVE.

Beach	Creamer	Graham	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Genet	Morris	Norton	

The question being on the motion as amended,

Mr. Stanford moved to further amend the motion by adding "a committee of conference be appointed on the part of the Senat like committee be requested on the part of the Assembly."

A division of the question being demanded.

The President put the question whether the Senate would agre first part of the motion, viz: "that the Senate do insist upon its ments to said bill," and it was decided in the affirmative, as foll

#### FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Stanfor
Chapman	Humphrey	Morgan	Palmer	Thayer
Crowley	Kennedy	Nicks	Parker	Willian
Folger				

#### FOR THE NEGATIVE.

Bradley	Edwards	Hubbard	Nichols	Pierce
Cauldwell	Genet	Morris	Norton	Tweed
Creamer	Graham	Murphy		

The President then put the question whether the Senate would agree to the last portion of the motion, viz: "that a committee of conference be appointed on the part of the Senate, and a like committee be requested on the part of the Assembly," and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nicks	Pierce
Campbell	Folger	Morgan	Norton	Stanford
Catldwell	Genet	Morris	O'Donnell	Thayer
Chapman	Graham	Murphy	Palmer	Tweed
Creamer	Hubbard	Nichols	Parker	Williams
Crowley	Humphrey			

27

## FOR THE NEGATIVE.

Mattoon

1

Messrs. Stanford, Folger and Beach were appointed as such committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, request a committee of conference, and have appointe one on their part.

The Assembly returned the bill entitled "An act to incorporate the Bickur Cholim Benevolent Society, of Newburgh," pursuant to a resolution of the Senate.

By unanimous consent, Mr. Graham moved to reconsider the vote agreeing to the report of the committee on the judiciary adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative.

By unanimous consent, Mr. Banks moved to recommit said bill to the committee on the judiciary, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to provide the means to increase the resources of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the town of Watervliet, in the county of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer stated that he dissented from said report, which was ordered entered upon the journal.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act directing certain moneys raised by tax for the improvement of the Oneida Lake canal, under chapter 934 of the Laws of 1867, to be paid into the State Treasury," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens

county," with power to report complete, reported the same, which report was agreed to and said bill ordered engrossed for reading.

Mr. Tweed, from the committee on internal affairs of towns and cities, to which was referred the Assembly bill entitled "An act to direct the board of supervisors of Monroe county to pay the assessors of the city of Rochester for services under chapter 592 of the Laws of 1867," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the report was suspended, and said bill recommitted to the committee, with report complete.

Mr. Tweed, from the committee on internal affairs of towns and cities, to which was referred the Assembly bill entitled "An act to amend chapter 352 of the Laws of 1867, entitled 'An act to change the lines of the towns of Boonville and Ava, in the county of Oneida,' passed April 12, 1867," reported in favor of the passage of the same.

On motion of Mr. Campbell and by unanimous consent, the report was suspended, and said bill recommitted to the committee, with report complete.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1862," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the report was suspended, and said bill recommitted to the committee, with report complete.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Commissioner representing the State in the Board of Managers of the Antietam National Cemetery, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,000 extra copies of the report of the Commissioner representing the State in the Board of Managers of the Antietam National Cemetery, be printed for the use of the Senate, and 100 copies for the Adjutant-General.

The President put the question whether the Senate would agree to the resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Managers of the Hudson River State Hospital for the Insane, reported in favor of the adoption of the following resolution:

*Resolved*, That 300 extra copies of the annual report of the Managers of the Hudson River State Hospital for the Insane, be printed for the use of the Senate, and 200 copies for the Managers.

The President put the question whether the Senate would agree to the resolution, and it was decided in the affirmative.

Mr. Tweed moved that the committee on internal affairs of towns and cities be discharged from the further consideration of the report of the inhabitants of Suffolk county, for the prohibition of poisons, and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the motion, and it was decided in the affirmative.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to grant to William Orton, Charles C. Ives and Charles Havard, their associates, successors and assigns, an

right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Working Women's Protective Union," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate 'The Trustees of the Synod of Albany,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to provide for an additional number of trustees of the New York State Institution for the Blind," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Christian Biblical Institute, to be located at Eddytown, Yates county, New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Camp Meeting Association of the Methodist Episcopal Church of the Newburgh District, State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley offered the following resolution:

*Resolved*, That the committee on municipal affairs be discharged from the further consideration of the Assembly bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," and that the same be referred to the committee on roads and bridges.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act for supplying the village of Plattsburgh with pure and wholesome water," reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks  
Beach

Edwards  
Genet

Humphrey  
Kennedy

Norton  
O'Donnell

Stanford  
Thayer

Digitized by Google



Campbell  
Cauldwell  
Crowley

GraBata  
Hale  
Hubbard

Mattoon  
Morgan  
Nichols

Palmer  
Parker  
Pierce

Tweed  
William

*Ordered*, That the Clerk return said bill to the Assembly, with message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to empower the village of Hornellsville to sell certain real estate, and to purchase a site to build a lock-up, and to extend certain streets in said village," in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to declare the village of Williamstown a separate road district, and to provide means by tax therein for repairing streets, alleys, sidewalks and crosswalks in repair," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rule was suspended, and said bill recommitted to the committee, with report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to discriminate the compensation of the coroners of the city of New York," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act fixing the compensation of the coroners of the county of New York," and as amended, recommend its passage.

On motion of Mr. Creamer and by unanimous consent, the rule was suspended and said bill recommitted to the committee, with report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to repeal chapter 489 of the Laws of 1867, entitled 'An act to provide for the construction of an external line of railways in the counties of New York and Westchester,'" reported adversely thereto, which report was agreed to and the bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to extend Lexington Avenue to the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to be passed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act in relation to requiring deposits from gas consumers in the city of New York, before supplying gas to them," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the sale of the metes of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to prohibit the gas companies of the city of Brooklyn from collecting rent on metres," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to prohibit gas companies from collecting rent on their metres," and as amended, recommend its passage.

On motion of Mr. Creamer and by unanimous consent, the rule was suspended and said bill recommitted to the committee, with report complete.

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to ratify, legalize and confirm the proceedings of 'The Rochester Waterworks Company,'" with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the city of Rome," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the city of Newburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act for the better regulation of the Fire Department in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the city of Troy to borrow money," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act relative to the commissioners for the building of a public market in the city of New York, and to provide for the completion of said market," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain, and city attorney, of the city of Troy,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Herkimer,' passed April 1, 1854," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend chapter 338 of the Laws of 1858, in relation to assessments on real estate in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act confirming the action of the common council of the city of Buffalo in annulling assessment roll No. 907, assessors series, confirmed September 3, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to Frank-

lin avenue, in the town of West Farms, in the county of West reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Tweed, from the committee on internal affairs of towns and cities, to which was recommitted the Assembly bill entitled "An act to repeal chapter 352 of the Laws of 1867, entitled 'An act to change town lines of the towns of Boonville and Ava, in the county of ( passed April 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered a third reading.

Mr. Parker, from the committee on railroads, to which was referred bill entitled "An act to amend chapter 823 of the Laws of 1866, 'An act relating to the Nassau Railroad Company, in the city of Brooklyn,'" reported that they have made some amendments there and amended the title so as to read as follows: "An act to require the Nassau Railroad Company, of Brooklyn, to change part of their route as amended, recommend its passage.

On motion of Mr. Pierce and by unanimous consent, the rule was suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Beach, from the committee on militia and public defence, to which was recommitted the bill entitled "An act to incorporate the Old City of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the board of education of the Jordan Academy and Free School of Jordan, in the town of Ellettsburgh, Onondaga county, and State of New York, to sell or dispose of real estate in said town," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rule was suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the board of education to establish the rates of tuition, and collect the same, for the academy department of the Union school in school district No. 10, of the town of Warsaw, in the county of Wyoming," reported in favor of the passage of the same.

On motion of Mr. Humphrey and by unanimous consent, the rule was suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to sheriffs," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," with power to report complete, reported the same complete.

which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Murphy	Parker
Bradley	Edwards	Kennedy	Nichols	Pierce
Campbell	Folger	Mattoon	Nicks	Stanford
Cauldwell	Hale	Morgan	Norton	Thayer
Chapman	Hubbard	Morris	Palmer	Tweed

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act in relation to appeals from the decisions of Canal Appraisers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to authorize the formation of loan, guarantee and warehousing companies," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property for the use of presiding elders of the Methodist Episcopal Church,' passed April 5, 1867," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act creating a separate road district in the village of Fly creek, Otsego county," was recommitted to the committee on roads and bridges, with power to report complete.

The President presented a communication from the Comptroller, transmitting returns made by corporations, pursuant to a resolution of the Senate.

Mr. O'Donnell moved to refer the same to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to regulate the use of certain docks in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act in relation to joint stock companies,

and associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act to confirm certain resolutions of the common council of the city of Syracuse, passed March 30, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act incorporating the Safe Deposit Company, of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The order of business of "motions and resolutions," having been announced,

The President stated the question to be upon the resolutions offered by Mr. Hale, and pending at the hour of adjournment yesterday, as follows:

*Whereas*, It has been charged upon the floor of the Assembly and elsewhere, that large sums of money have been improperly and corruptly expended by persons claiming to represent stockholders, and by other persons claiming to represent directors of the Erie Railway Company, in bribing or attempting to bribe members of that body, and thereby influencing or attempting to influence their action in supporting or opposing a bill relating to said company, recently pending in the Assembly; and whereas, the parties implicated in said charges are understood to be interested in the passage or defeat of certain measures relating to said company now before this Senate; and whereas, reports are current that said parties, or some of them, have been or are now attempting to influence Senators by corrupt and unlawful means; and whereas, such reports, whether true or false, tend to bring this body and the whole Legislature into discredit and public contempt; therefore,

*Resolved*, That this Senate ought, in justice to its own reputation, and in order that corruption and bribery, if they exist, may be exposed and punished, and that calumny and slander, if such charges and reports are false, may be refuted and silenced, before acting upon measures in relation to which such influences are said to be exerted, to investigate as to the truth or falsehood of such charges and reports.

*Resolved further*, That a committee of three be appointed by the President of this body, with power to send for persons and papers, to inquire and ascertain whether the directors or any of the officers of the Erie Railway Company, or any person acting or claiming to act on their behalf, or any stockholders of said company, or any person acting or claiming to act on their behalf, have directly or indirectly paid or offered to pay to any member or members of the Legislature, during the present session, any money or other valuable thing, to influence his or their vote or action, in the Assembly or Senate.

Mr. Hale offered the following as a substitute therefor:

*Whereas*, It has been charged that large sums of money have been improperly and corruptly expended by or on behalf of persons interested in the passage or defeat of certain measures relating to the Erie Railway

Company, in order to influence or attempt to influence legislative action in supporting or opposing such measures; and whereas, reports are current that said parties or some of them have been or are now attempting to influence Senators by corrupt and unlawful means; and whereas, such reports, whether true or false, tend to bring this body and the whole Legislature into discredit and public contempt; therefore,

*Resolved*, That this body ought, in justice to its own reputation, and in order that corruption and bribery, if they exist, may be exposed and punished, and that calumny and slander, if such charges and reports are false, may be refuted and silenced, to investigate as to the truth or falsehood of such charges and reports.

*Resolved further*, That a committee of three be appointed by the President, with power to send for persons and papers, to inquire and ascertain whether any party or parties interested in supporting or opposing any measures relating to the Erie Railway Company had, either in person or by agent, directly or indirectly, paid or offered to pay to any member or members of the Senate, during the present session, any money or other valuable thing to influence his or their vote or action, in Senate or committee.

Mr. O'Donnell moved to amend by striking out the word "Erie" wherever it occurs, and inserting in lieu thereof the words "railroad companies."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Morris	O'Donnell	
Beach	Graham	Mattoon	Nichols	Parker	
Chapman	Hubbard	Morgan	Nicks	Williams	
Edwards	Humphrey				17

## FOR THE NEGATIVE.

Bradley	Crowley	Murphy	Pierce	Thayer	
Cauldwell	Genet	Norton	Stanford	Tweed	
Creamer	Hale	Palmer			18

Mr. O'Donnell moved to strike out the preamble.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Hubbard	Morris	Nichols	Parker	
Graham	Humphrey	Murphy	O'Donnell	Williams	10

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Nicks	Stanford	
Bradley	Edwards	Kennedy	Norton	Thayer	
Cauldwell	Folger	Mattoon	Palmer	Tweed	
Creamer	Genet	Morgan	Pierce		19

Mr. Kennedy moved to amend "that the committee be instructed to report thereon to the Senate during the present session."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattoon moved to amend, as follows:

"That the committee to investigate railroad matters be also charged to inquire if any Senators have been engaged in buying or selling short any railroad stocks during the present session, and if so to what extent of profit or loss."

Mr. Genet moved to amend the amendment, by inserting after the word "short" the word "long."

Mr. Creamer moved to lay the whole subject upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Murphy	Williams	
Cauldwell					6

FOR THE NEGATIVE.

Banks	Hale	Morgan	Norton	Pierce	
Campbell	Hubbard	Morris	O'Donnell	Stanford	
Chapman	Humphrey	Nichols	Palmer	Thayer	
Folger	Kennedy	Nicks	Parker	Tweed	
Graham	Mattoon				22

The President then put the question whether the Senate would agree to the amendment of Mr. Genet, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Pierce	Williams	
Cauldwell	Folger	Murphy	Tweed		9

FOR THE NEGATIVE.

Banks	Hale	Mattoon	Nicks	Parker	
Campbell	Hubbard	Morgan	Norton	Stanford	
Chapman	Humphrey	Morris	O'Donnell	Thayer	
Crowley	Kennedy	Nichols	Palmer		19

The President then put the question whether the Senate would agree to the amendment offered by Mr. Mattoon, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Palmer	Pierce	
Bradley	Folger	Norton	Parker	Williams	
Cauldwell	Graham	O'Donnell			18

FOR THE NEGATIVE.

Banks	Genet	Kennedy	Murphy	Stanford	
Campbell	Hale	Morgan	Nichols	Thayer	
Chapman	Hubbard	Morris	Nicks	Tweed	
Crowley	Humphrey				17

The question being upon the substitute offered by Mr. Hale,

Mr. Genet moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cauldwell	Creamer	Crowley	Genet	Tweed	5
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FOR THE NEGATIVE.

Banks	Folger	Kennedy	Nicks	Parker	
Beach	Graham	Mattoon	Norton	Pierce	
Bradley	Hale	Morgan	O'Donnell	Stanford	
Campbell	Hubbard	Morris	Palmer	Thayer	
Chapman	Humphrey	Nichols			23

The President then put the question whether the Senate would agree to the substitute offered by Mr. Hale, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce	
Beach	Crowley	Humphrey	Norton	Stanford	

Bradley	Folger	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Morris		

28

The President appointed as such committee, Messrs. Hale, Crowley and Edwards.

Mr. Crowley asked to be excused from serving upon said committee on account of arduous labors upon other committees.

The President put the question whether the Senate would agree to said motion to excuse Mr. Crowley, and it was decided in the affirmative.

The President appointed Mr. Folger as a member of said committee, in place of Mr. Crowley, excused.

Mr. Folger asked to be excused from serving upon said committee, for the reasons stated by Mr. Crowley.

The President put the question whether the Senate would agree to said motion to excuse Mr. Folger, and it was decided in the affirmative.

The President appointed Mr. Thayer as a member of said committee, in place of Mr. Folger, excused.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to create a separate road district in the village of Van Hornesville, in the county of Herkimer," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Mattoon offered the following resolution:

*Resolved*, That the committee on finance be discharged from the further consideration of the bill entitled "An act to build an armory in the city of Oswego," and that the same be referred to the committee of the whole.

Mr. Parker moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Nicks	Stanford
Campbell	Creamer	Humphrey	O'Donnell	Thayer
Cauldwell	Hale	Kennedy	Parker	Williams

15

#### FOR THE NEGATIVE.

Bradley	Genet	Morgan	Nichols	Pierce
Crowley	Graham	Morris	Norton	Tweed
Folger	Mattoon	Murphy	Palmer	

14

The hour of 7 o'clock having arrived, the Senate adjourned.

### SATURDAY, APRIL 11, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dyer.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the appointment of an additional number of notaries public in the city and county of New York."

"An act to incorporate the Old Guard of the city of New York."

"An act to amend an act entitled 'An act to amend an act entitled 'An



act to organize and establish a recorder's court in the city of Oswego,' passed March 26, 1849, and the acts amendatory thereof."

"An act to amend an act entitled 'An act to incorporate the Morrisania Savings Bank,' passed May 1, 1865."

"An act to incorporate the Working Women's Protective Union."

"An act to provide for the incorporation to trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the diocese of Western New York."

"An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837."

"An act in relation to appeals from decisions of Canal Appraisers."

"An act authorizing the placing of an obstruction at the intersection of Big ditch with the Wallkill river."

"An act to incorporate the Brooklyn Eye and Ear Hospital."

"An act authorizing the repaving and improving of Union street, from Columbia street to Gowanus canal, in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street."

"An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company, of New York city,' passed March 22, 1865."

"An act to protect, improve and keep in repair the Buffalo and Williamsville McAdam road, in the county of Erie."

"An act to incorporate the Ocean Rock Division No. 30, of the Sons of Temperance, located at Louisville, St. Lawrence county."

"An act to incorporate the Protective Hook and Ladder Company No. 1, of Hicksville, Queens county."

"An act to authorize the Poorman Gold and Silver Mining Company, of Idaho, to change its place of business."

"An act to extend Lexington avenue, in the city of New York."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The bill entitled "An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company of New York city,' passed March 22, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Parker
Beach	Folger	Humphrey	Morris	Pierce
Campbell	Graham	Kennedy	O'Donnell	Stanford
Cauldwell	Hale	Mattoon	Palmer	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church, in the diocese of Western New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Nichols	Stanford
Campbell	Hale	Mattoon	Palmer	Tweed
Cauldwell	Hubbard	Morgan	Parker	Williams
Chapman				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Poorman Gold and Silver Mining Company, of Idaho, to change its place of business," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Thayer
Beach	Folger	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	O'Donnell	Williams
Cauldwell	Hale	Morgan	Palmer	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to ratify, legalize and confirm the proceedings of 'The Rochester Waterworks Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Stanford
Beach	Graham	Kennedy	Nichols	Thayer
Campbell	Hale	Mattoon	Parker	Tweed
Cauldwell	Hubbard	Morgan	Pierce	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court, in the city of Oswego,' passed March 26, 1849, and the acts amendatory thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Beach	Graham	Mattoon	O'Donnell	Thayer
Bradley	Hale	Morgan	Parker	Tweed
Campbell	Hubbard	Morris	Pierce	Van Petten
Cauldwell	Humphrey			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Protective Hook and Lad-

der Company No. 1, of Hicksville, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Morris	Pierce
Beach	Chapman	Kennedy	Norton	Stanford
Bradley	Hale	Mattoon	Palmer	Van Petten
Campbell	Hubbard	Morgan	Parker	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to grant to William Orton, Charles C. Leigh and Charles Havard, their associates, successors and assigns, an exclusive right to lay telegraphic cables from this State to the Empire of France, and to work the same,' passed April 22, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Nicks	Stanford
Campbell	Hubbard	Morgan	O'Donnell	Thayer
Cauldwell	Humphrey	Morris	Palmer	Van Petten
Chapman	Kennedy	Nichols	Parker	Williams

21

## FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Working Women's Protective Union," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Morgan	O'Donnell	Stanford
Beach	Hale	Morris	Palmer	Thayer
Campbell	Hubbard	Nichols	Parker	Tweed
Cauldwell	Humphrey	Nicks	Pierce	Van Petten
Chapman	Kennedy			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend Lexington avenue, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Norton	Stanford
Beach	Hale	Morgan	O'Donnell	Thayer

Cauldwell	Hubbard	Morris	Palmer	Tweed
Creamer	Humphrey	Nichols	Parker	Van Petten
Folger	Kennedy	Nicks	Pierce	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the better regulation of the fire department in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morris	O'Donnell	Thayer
Bradley	Hubbard	Nichols	Palmer	Tweed
Cauldwell	Humphrey	Nicks	Parker	Van Petten
Chapman	Kennedy	Norton	Pierce	Williams
Creamer	Morgan			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the city of Troy to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	O'Donnell	Stanford
Beach	Creamer	Mattoon	Palmer	Thayer
Bradley	Folger	Morgan	Parker	Van Petten
Campbell	Hubbard	Morris	Pierce	Williams
Cauldwell	Humphrey	Nichols		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to the commissioners for the building of a public market in the city of New York, and to provide for the completion of said market," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Norton	Stanford
Bradley	Crowley	Morgan	Palmer	Thayer
Campbell	Hubbard	Morris	Parker	Tweed
Cauldwell	Humphrey	Nichols	Pierce	Van Petten
Chapman	Kennedy	Nicks		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the offices of recorder, assessor, chamberlain, and city attorney, of the city of Troy,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would the final passage of said bill, and it was decided in the affirmative majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	O'Donnell	Stanford
Campbell	Hale	Morgan	Palmer	Thayer
Cauldwell	Hubbard	Nichols	Parker	Tweed
Chapman	Humphrey	Norton	Pierce	Van F
Creamer	Kennedy			

*Ordered*, That the Clerk return said bill to the Assembly, with message informing that the Senate have concurred in the passage same, with amendments.

The Assembly bill entitled "An act to repeal chapter 352 of 1867, entitled 'An act to change the town lines of the Boonville and Ava, in the county of Oneida,' passed April 1 was read a third time.

The President put the question whether the Senate would the final passage of said bill, and it was decided in the affirmative majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Pierce
Beach	Folger	Mattoon	O'Donnell	Stanford
Campbell	Hale	Morgan	Palmer	Thayer
Cauldwell	Hubbard	Nichols	Parker	Tweed
Chapman	Humphrey	Nicks		

*Ordered*, That the Clerk return said bill to the Assembly, with message informing that the Senate have concurred in the passage same, without amendment.

The bill entitled "An act in relation to sheriffs," was read a third time.

The President put the question whether the Senate would the final passage of said bill, and it was decided in the affirmative majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Pierce
Beach	Crowley	Morgan	Norton	Stanford
Bradley	Hale	Morris	Palmer	Tweed
Campbell	Hubbard	Nichols	Parker	William
Chapman	Humphrey			

## FOR THE NEGATIVE.

Folger                      O'Donnell

*Ordered*, That the Clerk deliver said bill to the Assembly, and their concurrence therein.

The bill entitled "An act to amend an act entitled an act to the proof of wills, executors, administrators, guardians and wills surrogates' courts," passed May 16, 1837," was read a third time.

The President put the question whether the Senate would the final passage of said bill, and it was decided in the affirmative majority of all the members elected to the Senate voting in favor and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Pierce
Beach	Creamer	Humphrey	Norton	Stanford
Bradley	Crowley	Kennedy	Palmer	Thayer
Campbell	Folger	Morgan	Parker	Tweed
Cauldwell	Hale	Morris		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to appeals from decisions of Canal Appraisers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Palmer
Campbell	Crowley	Humphrey	Nichols	Parker
Cauldwell	Folger	Kennedy	Nicks	Pierce
Chapman	Hale	Morgan	Norton	Thayer

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Old Guard in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Pierce
Beach	Folger	Kennedy	Nicks	Thayer
Campbell	Hale	Morgan	Norton	Tweed
Cauldwell	Hubbard	Morris	Parker	Williams
Chapman				

21

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly returned the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted,' " with a message that they have consented to the appointment of a committee of conference thereon, and appointed as such committee on the part of the Assembly, Messrs. Bradstreet, Chapman, Dayton, Sumner and Parshall.

The Assembly sent for concurrence the bills entitled as follows:

"An act to regulate, grade and macadamize the Westchester Turnpike and Boston Post Road, a highway from the village of West Farms to Byram River Bridge, in the town of Rye," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Seventh Ward Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the examination of the accounts and operations

of the several commissions in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Insurers' Indemnity Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to incorporate the New York Hotel, Restaurant, and Steamship Bakers' and Pastry Cooks' Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend title 3, chapter 4, part 2 of the Revised Statutes, relating to the interest of money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Fulton Benevolent Association of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to enable Henry Smith, of the town of Guilderland, Albany county, to set apart a plot of ground for a family grave-yard, and to secure the same forever from sale for taxes, and from alienation by deed or otherwise," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to establish and increase the salary of the assessors of the city of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Schenectady Astronomical Observatory," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the Military Code of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

"An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the Canal Appraisers to examine the claims of Charles Collins and others, for damages sustained in consequence of the erection of a dam on the Mohawk river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the 'Oneida Club' of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize certain towns in Oneida county to issue bonds and take stock in any company now organized, or that may be hereafter organized, within two years after the passage of this act, for the purpose of building a railroad from Clinton, Oneida county, to Rome in said



county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the 'Palace Bazaar Company,' and to authorize said company to build a bazaar in the city of New York, and carry on the business of buying and selling goods, wares and merchandise therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the making and opening of a road or avenue from Mamaroneck harbor, in the town of Mamaroneck, in the county of Westchester, to some point in the village of White Plains, in the county of Westchester, to be called Mamaroneck avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Oswego Falls Agricultural Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend an act entitled 'An act to provide for the widening and improvement of Union street, in the city of Brooklyn,' passed April 27, 1866; and to confirm the acts of the board of improvement thereby created," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the board of trade of the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the levying of an annual tax upon the lot owners in the Lyons Rural Cemetery for the improvement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act entitled 'An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize certain towns in the counties of Sullivan and Orange to issue bonds and take stock in any company now organized, or that may hereafter be organized, within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in said county of Sullivan, and the town of Deerpark, in the county of Orange, to Port Jervis, Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 394 of Laws of 1853, entitled 'An act to make a road district of the village of Gallupville,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the village of Groton to remove the dead from the burying grounds in said village to the cemetery, and to authorize said village to hold the old burying grounds or sell the same and to purchase a piece of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the working of the quarry contract at the State Prison, at Sing Sing," which was read the first time, and by unanimous



consent was also read the second time, and referred to the committee on State prisons.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act authorizing the board of supervisors of the county of Genesee to issue additional bonds for the purpose of redeeming the war bonds of said county about to become due."

"An act to provide for the election of an additional justice of the peace in the town of Pierrepont, county of St. Lawrence."

"An act to amend an act entitled 'An act to incorporate the Germania Savings Bank, Kings county,' passed April 19, 1867."

"An act to incorporate the Exempt Firemen's Association of the city of Albany, and in relation to the fund of the fire department of the city of Albany."

"An act to authorize the board of town auditors of Summer Hill, Cayuga county, to audit certain accounts for expenses of raising volunteers, and to authorize the supervisors of said county to levy a tax to pay the same."

"An act to amend chapter 123, Laws of 1867, entitled 'An act to enable the trustees of the First Presbyterian Church to donate and convey their property to the New York City Mission and Tract Society,' passed March 23, 1867."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act in relation to the Normal school at Cortland, and confirming the action of the village trustees in reference thereto."

"An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht."

"An act to legalize the election of constable of the village of Batavia, in the county of Genesee."

"An act to amend the act entitled 'An act to facilitate the construction of the Southern Central railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866."

"An act to authorize additional facilities for the interment of the pauper dead in the city of New York."

"An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amending the same, so far as relates to the village of Baldwinsville, Onondaga county."

"An act to authorize the common council of the city of Utica to borrow and disburse money for city purposes, and to levy and collect a tax to pay the same."

"An act to authorize the construction and maintaining of a free bridge over the Susquehanna river, in the towns of Union and Vestal, and for the purchase of the franchise of the Union and Vestal Bridge Company, and to borrow money therefor."

"An act to enable the treasurer of Delaware county to make return of the non-resident taxes of the town of Colchester."

"An act to amend an act entitled 'An act to facilitate the acquisition by the Dutchess and Columbia Railroad Company of the real estate required for the purposes of its incorporation, and to allow it to change the Northern terminus of its road, and for other purposes,' passed April 22, 1867."

"An act providing for the erection of a town hall in the town of Morrisania, Westchester county."

"An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849."

"An act to incorporate the Ursuline Convent."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Banks offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly, requesting them to return to the Senate the bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley presented three petitions of citizens of Lockport, in relation to the Erie railroad, which were read and referred to the committee of the whole.

Mr. Nichols presented a memorial of the board of trade of Buffalo, asking that the Senate and Assembly agree on bill abolishing the Contracting Board, which was read and referred to the committee of conference.

Mr. Hubbard presented a petition of citizens of Schoharie county, for State aid to complete the Albany and Susquehanna railroad, which was read and referred to the committee of the whole.

Messrs. Crowley, Thayer and Kennedy, severally presented remonstrances against repeal of act of 1867, to regulate the use of certain slips, piers and wharves on the East river, which were read and referred to the committee on commerce and navigation.

Mr. Pierce presented a petition for the incorporation of "The Park Savings Bank of Brooklyn," which was read and referred to the committee of the whole.

Mr. Folger presented a petition from Geneva, for pro rata freight on railroads, which was read and referred to the committee on railroads.

Also a remonstrance against sheriffs having exclusive right to sell on decrees of foreclosure, which was read and laid on the table.

Mr. Pierce presented a remonstrance of the bar of Kings county, against increasing fees of sheriffs, which was read and referred to the committee on the judiciary.

Mr. Palmer presented a petition of 250 owners of property on Broadway, New York, asking for the passage of the Arcade Underground railway bill, which was read and referred to the committee on railroads.

Mr. Campbell presented a petition of citizens of Utica, in favor of an Eighth ward, which was read and referred to the committee on municipal affairs.

Mt. Nichols presented the annual report of the De Vaux College for orphan and destitute children, which was laid on the table and ordered printed.

(See Doc. No. 85.)

Mr. Humphrey moved to lay the order of business of "presentation of petitions" upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend the charter of the American Bureau of Mines," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to draining certain bog

and swamp lands in the towns of De Witt and Onondaga, in the county of Onondaga," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Hubbard	Morris	O'Donnell	Stanford	
Beach	Kennedy	Nichols	Parker	Williams	
Campbell	Morgan	Nicks			18

FOR THE NEGATIVE.

Bradley	Creamer	Genet	Norton	Thayer	
Cauldwell	Crowley,	Hale	Palmer	Tweed	
Chapman	Folger	Mattoon	Pierce		14

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to provide for publication of notices in certain cases, under the tax laws of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to exempt Normal school boarding houses from taxation," reported adversely thereto.

Mr. Mattoon moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Kennedy	Morgan	Pierce	Tweed	
Creamer	Mattoon	Norton			8

FOR THE NEGATIVE.

Campbell	Crowley	Hubbard	Nicks	Parker	
Cauldwell	Folger	Humphrey	O'Donnell	Thayer	
Chapman	Hale	Nichols	Palmer	Van Petten	15

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, to which was referred the bill entitled "An act to provide for the purchasing a site and for the building of an armory thereon in the city of Oswego," reported adversely thereto.

Mr. Mattoon moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Mattoon	Morgan	Norton	
Cauldwell					6-

## FOR THE NEGATIVE.

Campbell	Hale	Nichols	Palmer	Stanford	
Crowley	Humphrey	Nicks	Parker	Thayer	
Graham	Morris	O'Donnell			18

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate Bickur Cholim Benevolent Society of the city of Newburgh," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE

Banks	Hale	Morgan	Nicks	Stanford	
Beach	Hubbard	Morris	O'Donnell	Van Petten	
Chapman	Kennedy	Nichols	Parker	Williams	
Graham					16

## FOR THE NEGATIVE.

Bradley	Creamer	Genot	Palmer	Thayer	
Campbell	Crowley	Mattoon	Pierce	Van Petten	
Cauldwell	Folger	Norton			18

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on railroads, with power to report complete:

"An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company to transfer all its rights, franchises and property to the Syracuse and Chenango Valley Railroad Company."

"An act to authorize certain towns and villages in the counties of Onondaga, Madison and Chenango, to issue bonds, to take stock in the Syracuse and Chenango Valley Railroad Company."

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Kennedy moved to reconsider the vote agreeing to the report of the committee on railroads adverse to the bill entitled "An act to incorporate a company for the purpose of constructing an elevated railroad in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Folger and by unanimous consent, the rules were suspended and the Assembly bill entitled "An act to incorporate the Christian Biblical Institute, at Eddytown, Yates county," was recom-

mitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the bill entitled "An act to appoint commissioners of fisheries for the State of New York," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the bill entitled "An act to prevent encroachments upon grave-yards," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize certain towns in the counties of Schoharie, Albany, Greene, Delaware and Ulster, to issue bonds and take stock in and for the extension of the Schoharie Valley railroad," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act for the removal of obstructions from the outlet of the Cayuga lake and the channel of Seneca river,' passed April 13, 1858, and an act to amend the same, passed April 23, 1862," was recommitted to the committee on canals, with power to report complete.

Mr. Williams offered the following resolution:

*Resolved*, That the Assembly bill entitled "An act to authorize a special town meeting in the towns of Brutus and Cato, in the county of Cayuga, to determine relative to rebuilding the Bonta bridge, in said county, and a bridge between Brutus, Mentz and Conquest," be recommitted to the committee on roads and bridges, retaining its place on general orders.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act incorporating 'The Newfield Fireman's Association,' of the village of Newfield, county of Tompkins, and State of New York," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Chapman moved that the bill entitled "An act in relation to the Erie, New York Central, Hudson River, and Harlem Railway companies," be made the special order for Tuesday morning, immediately after the reading of the journal, and be continued the special order each day until disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Williams moved that when the Senate adjourn, it be until Monday evening, at 7½ o'clock.

Mr. Mattoon moved to amend by striking out "Monday evening," and inserting "Tuesday morning, 10 o'clock A. M."

Mr. Morgan moved to amend: "that the Senate at one o'clock, take a recess until 4 o'clock P. M."

The President put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Mattoon, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Williams, and it was decided in the affirmative.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend an act entitled 'An act to authorize the abatement and prevention of certain nuisances deemed dangerous to public health in the city of Brooklyn,' passed April 23, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the bill entitled "An act declaring the effect of judgments of the courts of countries foreign to the United States," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to empower the village of Hornellsville to sell certain real estate, and to purchase a site for and to build a lock-up, and to extend certain streets in said village," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Nicks offered the following resolution:

*Resolved*, That the bill entitled "An act to provide for laying out and opening of a public highway in the town of Newburgh," be recommitted to the committee on roads and bridges.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the North River Savings Bank, in the city of New York," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on the judiciary, with power to report complete:

"An act in relation to mortgages executed by railroad companies."

"An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law."

"An act to regulate the times of opening and closing the clerk's office of Erie county."

Mr. Beach offered the following preamble and resolution:

*Whereas*, The canal committee of the Assembly (Assembly bill 271), have reported in favor of an appropriation of sixty thousand dollars to increase the supply of water on the Jordan level of the Erie canal, and for other purposes; therefore,

*Resolved*, That the State Engineer and Surveyor be requested to report immediately to the Senate, the quantity of water the proposed new reservoir (Otisco Lake), will contribute to said Jordan level; and to communicate to the Senate a copy of any report at any time made on this subject, whether printed or not, in his possession or within his knowledge.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the bill entitled "An act to regulate the manner and

payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on municipal affairs, with power to report complete:

"An act to open and improve Maspeth avenue, in the city of Brooklyn.."

"An act to extend Clinton avenue, in the city of Brooklyn."

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Park Savings Bank of Brooklyn," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate 'The Mutual Benefit Savings Bank, in the city of New York,'" was recommitted to the committee on banks, with power to report complete.

Mr. Creamer moved to recommit the bill entitled "An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water," to the committee on municipal affairs, to retain its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Camp Meeting Association of the Methodist Episcopal Church of the Newburgh district, State of New York," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Port Jervis Waterworks Company," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Thayer called for the consideration of the resolution from the Assembly, in the words following:

*Resolved*, (if the Senate concur,) That a respectful message be sent to His Excellency the Governor, requesting the return to the Assembly of the Assembly bill No. 254, entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate 'The Trustees of the Synod of Albany,'" was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend section 6 of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Van Petten moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to the bill entitled "An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the committee on commerce and navigation were authorized to report complete the Assembly bill entitled "An act for the improvement of the navigation of the De Grasse river."

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitteed the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property, for the use of presiding elders of the Methodist Episcopal Church,' passed April 5, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitteed the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1852," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the National Savings Institution of the city of New York," passed April 20, 1867," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitteed to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommitteed the bill entitled "An act to require the Nassau Railroad Company of Brooklyn, to change part of their route," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, the rule was suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks  
Beach  
Campbell  
Cauldwell

Creamer  
Genet  
Hale  
Hubbard

Humphrey  
Mattoon  
Morgan  
Morris

Nichols  
Palmer  
Parker  
Thayer

Tweed  
Van Petten  
Williams



*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Campbell, from a majority of the committee on railroads, to which referred the Assembly bill entitled 'An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Roy, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Crogan, in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Dutchess,' passed April 17, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the payment of certain fines and penalties collected in the city and town of Newburgh, in the county of Orange, to the commissioners of the alms house of said city and town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 19, 1867," reported in favor of the passage of the same.

Mr. Nichols moved to recommit said bill to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitteed the Assembly bill entitled "An act requiring the board of supervisors of Monroe county to pay the assessors of the city of Rochester for services under chapter 692 of the Laws of 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled 'An act authorizing the levying of an annual tax upon the lot owners in the Lyons Rural Cemetery, for the improvement thereof,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 527 of Laws of 1866, entitled 'An act authorizing the changing the course of the creek running through the village of Westville, in the county of Otsego,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the village of Groton to remove the dead from the burying-grounds in said village to the cemetery, and to authorize said village to

hold the old burying-grounds or sell the same, and to purchase a piece of land," reported in favor of the passage of the same.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable Henry Smith of the town of Guilderland, Albany county, to set apart a plot of ground for a family grave-yard and to secure the same forever from sale for taxes, and from alienation by deed or otherwise," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Kennedy, from the committee on municipal affairs, to which was referred the bill entitled "An act to confirm certain resolutions of the common council of the city of Syracuse, passed March 30, 1868," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to create a separate road district in the village of Van Hornesville, in the county of Herkimer," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act creating a separate road district in the village of Fly Creek, Otsego county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to authorize the abatement and prevention of certain nuisances, deemed dangerous to the public health, in the city of Brooklyn,' passed April 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the Port Jervis Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to extend Olinton avenue, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to prohibit gas companies from collecting rent on their metres," with power to report com-

plete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Williams, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to joint stock companies and associations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from a majority of the committee on commerce and navigation, to which was referred the bill entitled "An act to regulate the use of certain docks in the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act for the improvement of lands in and near the Wallabout bay, in the city of Brooklyn, and for laying out and constructing a basin, dock and streets therein,' passed May 11, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Thayer, from the committee on canals, to which was recommitted the bill entitled "An act in relation to supplying the State Lunatic Asylum with water," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the committee on canals, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to incorporate the President, Managers and Company of the Delaware and Hudson Canal Company,' passed April 23, 1823," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nichols dissented from said report, and it was ordered entered upon the journal.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to authorize the board of education to establish the rates of tuition, and collect the same, for the academical department of the Union school in school district No. 10, of the town of Warsaw, in the county of Wyoming," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act authorizing the board of education of the Jordan academy, and free school of Jordan, in the town of Elbridge, Onondaga county, and State of New York, to sell or dispose of certain real estate in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to confirm certain resolutions of the common council of the city of Syracuse, passed March 30, 1868," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Stanford, from the committee on canals, to which was recommitted the bill entitled "An act to amend an act entitled 'An act for the removal of obstructions from the outlet of the Cayuga lake and the channel of Seneca river,' passed April 13, 1858, and an act to amend the same, passed April 23, 1862," with power to report complete, reported the

same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Parker
Chapman	Hubbard	Nichols	O'Donnell	Stanford
Creamer	Mattoon	Nicks	Palmer	Williams
Crowley				

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FOR THE NEGATIVE.

Beach	Cauldwell	Pierce	Thayer	Tweed
Bradley	Humphrey			

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Whereupon the Senate adjourned.

MONDAY, APRIL 13, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of Saturday was read and approved.

Mr. Beach presented a petition of citizens of Saugerties, for the act to construct West Shore Hudson River railroad, which was read and referred to the committee of the whole.

Mr. Bradley presented three remonstrances of citizens of New York and Brooklyn, against repeal of act of 1867, to regulate the use of certain slips, piers and wharves on the East river, which were read and referred to the committee on commerce and navigation.

Mr. Chapman presented a remonstrance against increasing the city limits of Binghamton, which was read and referred to the committee on municipal affairs.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property, for the use of presiding elders of the Methodist Episcopal Church,' passed April 5, 1867."

"An act to authorize the formation of loan, guarantee and warehousing companies."

"An act to require the Nassau Railroad Company, of Brooklyn, to change part of their route."

"An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter."

"An act to confirm certain resolutions of the common council of the city of Syracuse, passed March 30, 1868."

"An act to amend the act entitled 'An act to authorize the abatement and prevention of certain nuisances, deemed dangerous to the public health, in the city of Brooklyn,' passed April 23, 1867."

"An act in relation to supplying the State Lunatic Asylum with water."

"An act to amend an act entitled 'An act to incorporate the President, Managers and Company of the Delaware and Hudson Canal Company,' passed April 23, 1823."

"An act to amend an act entitled 'An act for the removal of obstructions from the outlet of the Cayuga lake and the channel of Seneca river,' passed April 13, 1858, and an act to amend the same, passed April 23, 1862."

"An act to extend Clinton avenue, in the city of Brooklyn."

"An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor."

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Schenectady Astronomical Observatory," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the board of education of Union school district No. 1, in the town of Westfield, Chautauqua county, to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Johnstown, and to establish a union graded school therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the board of education of union free school district No. 1, of the town of Kingsbury, to borrow money to build a school-house in said district," reported in favor of the passage of the same, with an amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Thomas P. Richards for relief for damages from Erie canal, reported by bill entitled "An act for the relief of Thomas P. Richards," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of James D. Shuler for relief for damages by appropriation of lands for enlargement of the Erie canal, reported by bill entitled "An act for the relief of James D. Shuler, conferring jurisdiction on the Canal Appraisers to hear and determine his claim for compensation for lands appropriated to the enlargement of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the petition of Johanna M. Kirchner for relief for damages sustained by leaching the Erie canal, reported by bill entitled "An act for the relief of Johanna M. Kirchner," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Chauncey Lane," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the payment of Peter Voorhees and James L. Voorhees, for damages sustained by them in the drainage of the Cayuga marshes," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Wyllis Barber," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Excelsior Savings Bank of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the National Savings Institution of the city of New York,' passed April 20, 1861," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the 'Up-town Savings Bank,' in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the East Clarkson Cemetery," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Christian Biblical Institute, to be located at Eddytown, Yates county, New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Camp Meeting Association of the Methodist Episcopal Church of the Newburgh district, State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to open and improve Maapeth ave-

nue, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to declare the village of Williams-ville a separate road district, and to provide means, by tax therein, for keeping streets, alleys, sidewalks and crosswalks in repair," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act fixing the compensation of the coroners of the city and county of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to empower the village of Hornellsville to sell certain real estate and to purchase a site for and to build a lock-up, and to extend certain streets in said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to incorporate the White Plains Waterworks Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act incorporating 'The Newfield Fireman's Association,' of the village of Newfield, county of Tompkins, and State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the village of Groton to remove the dead from the burying-ground in said village to the cemetery, and to authorize said village to hold the old burying-ground or sell the same, and to purchase a piece of land," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend section 6 of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the bill entitled "An act in relation to mortgages executed by railroad companies," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to regulate the times of opening and closing the clerk's office of Erie county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to appoint commissioners of fisheries for the State of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to prevent encroachments upon graveyards," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Morris, from the committee on the judiciary, to which was recommended the bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act to provide free bridges across the Chenango and Susquehanna rivers, in the city of Binghamton," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read "An act to provide a free bridge across the Chenango river, in the city of Binghamton," and as amended, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act authorizing the construction of a free bridge over the Susquehanna river in Binghamton," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read "An act to provide a free bridge or free bridges across the Susquehanna river, in the city of Binghamton," and as amended, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to make the village of Lisle, in the county of Broome, a separate road district, and to confer additional powers upon the trustees of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the construction of a free bridge over the Seneca river, in the towns of Mentz and Conquest, in Cayuga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence a resolution, in the words following:

IN ASSEMBLY, April 10, 1868.

*Resolved*, (if the Senate concur,) That each member of the Legislature, and the Clerks of the Senate and Assembly, be furnished with one copy of the Civil List for 1868, and that one copy thereof be furnished to each officer and reporter of the same, provided the expense thereof shall not exceed one dollar per copy.



Also the following:

*Resolved*, (if the Senate concur,) That the same number of copies of the annual reports of the New York State Agricultural Society, and the American Institute, be printed as was ordered printed by the Legislature of 1867.

By order.

C. W. ARMSTRONG, *Clerk*.

*Ordered*, That said resolutions be laid on the table.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," pursuant to a resolution of the Senate.

On motion of Mr. Beach and by unanimous consent, the vote upon the final passage of said bill was reconsidered, the vote being as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer	
Bradley	Creamer	Kennedy	O'Donnell	Tweed	
Campbell	Crowley	Morgan	Parker	Williams	
Cauldwell	Folger	Nichols			18

FOR THE NEGATIVE.

Van Petten	1
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Mr. Beach moved to recommit said bill to the committee on finance, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented a communication from the State Engineer and Surveyor, relative to the amount of water the Otisco Lake reservoir will contribute to the Jordan level, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 74.)

The Assembly returned the bill entitled "An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein," with a message that they had passed the same, with the following amendment:

Section 2, line 4, engrossed bill, strike out the words "Wallace W. Wood, of Mooers," and insert in lieu thereof the words "Zephaniah C. Platt, of Plattsburgh."

The President put the question whether the Senate would agree to concur in the amendment of the Assembly to said entitled bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford
Beach	Folger	Kennedy	Nicks	Thayer
Campbell	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The bill entitled "An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford
Beach	Creamer	Hubbard	Nicks	Tweed
Bradley	Crowley	Kennedy	O'Donnell	Van Petten
Campbell	Folger	Morgan	Palmer	Williams
Cauldwell	Genet	Morris	Parker	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Bickur Cholim Benevolent Society of the city of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Thayer
Bradley	Crowley	Kennedy	O'Donnell	Tweed
Campbell	Genet	Morgan	Parker	Van Petten
Cauldwell	Graham	Nichols	Stanford	Williams
Chapman	Hale			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property for the use of presiding elders of the Methodist Episcopal Church,' passed April 5, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morgan	Stanford
Bradley	Creamer	Graham	Nichols	Tweed
Campbell	Crowley	Hubbard	O'Donnell	Van Petten
Cauldwell	Folger	Kennedy	Parker	Williams
				20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Newburgh Savings Bank,' passed April 13, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Parker	Tweed
Bradley	Genet	Morgan	Stanford	Van Petten
Campbell	Graham	Nicks	Thayer	Williams
Cauldwell	Hale	Palmer		18

## FOR THE NEGATIVE.

Morris          Nichols

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act requiring the board of supervisors of Monroe county to pay the assessors of the city of Rochester for services under chapter 592 of the Laws of 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nicks	Thayer
Bradley	Genet	Morgan	Palmer	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Stanford	Williams
Chapman	Hubbard			

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Parker
Beach	Crowley	Hubbard	Nichols	Stanford
Campbell	Genet	Kennedy	Nicks	Thayer
Cauldwell	Graham	Morgan	Palmer	Williams

20

FOR THE NEGATIVE.

Chapman 1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to create a separate road district in the village of Van Hornesville, in the county of Herkimer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer
Beach	Folger	Kennedy	Palmer	Tweed
Bradley	Genet	Morgan	Parker	Van Petten
Campbell	Graham	Morris	Stanford	Williams
Cauldwell	Hale	Nichols		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act creating a separate road district in the village of Fly Creek, Otsego county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer
Beach	Crowley	Kennedy	Palmer	Tweed
Campbell	Genet	Morgan	Parker	Van Petten
Cauldwell	Graham	Morris	Stanford	Williams
Chapman	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the act entitled 'An act to authorize the abatement and prevention of certain nuisances, deemed dangerous to the public health, in the city of Brooklyn,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer
Beach	Crowley	Kennedy	Nicks	Tweed
Campbell	Folger	Morgan	Palmer	Van Petten
Cauldwell	Graham	Morris	Stanford	

19

## FOR THE NEGATIVE.

Williams				
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1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to incorporate the Port Jervis Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Morris	Thayer
Bradley	Creamer	Hubbard	Nichols	Tweed
Campbell	Crowley	Kennedy	Nicks	Van Petten
Cauldwell	Folger	Morgan	Palmer	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend Clinton avenue, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Thayer
Bradley	Genet	Kennedy	Nicks	Tweed
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hale	Morris	Stanford	Williams
Creamer				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to prohibit gas companies from collecting rents on their metres," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford	
Beach	Creamer	Kennedy	Nicks	Tweed	
Bradley	Crowley	Morgan	Palmer	Van Petten	
Cauldwell	Genet	Morris	Parker	Williams	20

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to supplying the State Lunatic Asylum with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Thayer	
Beach	Creamer	Kennedy	Nicks	Tweed	
Bradley	Crowley	Morgan	Parker	Van Petten	
Campbell	Graham	Morris	Stanford	Williams	
Cauldwell					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the President, Managers and Company of the Delaware and Hudson Canal Company,' passed April 23, 1823," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Crowley	Kennedy	Nicks	Thayer	
Campbell	Folger	Morgan	Palmer	Van Petten	
Cauldwell	Genet	Morris	Parker	Williams	20

## FOR THE NEGATIVE.

Bradley

Chapman

Tweed

3

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the board of education to establish the rates of tuition, and collect the same, for the academical department of the Union school district No. 10, of the town of Warsaw, in the county of Wyoming," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Thayer
Beach	Crowley	Morgan	Palmer	Tweed
Campbell	Genet	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the board of education of the Jordan academy, and free school of Jordan, in the town of Elbridge, Onondaga county, and State of New York, to sell or dispose of certain real estate in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Beach	Crowley	Morgan	O'Donnell	Thayer
Campbell	Folger	Morris	Palmer	Van Petten
Cauldwell	Genet	Nichols	Parker	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to confirm certain resolutions of the common council of the city of Syracuse," passed March 30, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Thayer
Beach	Crowley	Morgan	Palmer	Van Petten
Bradley	Folger	Morris	Parker	Williams
Cauldwell	Hubbard	Nichols	Stanford	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the removal of obstructions from the outlet of the Cayuga lake and the channel of Seneca river,' passed April 13, 1858, and the act to amend the same, passed April 23, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Stanford
Beach	Creamer	Hubbard	Nicks	Tweed
Bradley	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Genet	Morgan	Parker	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Cauldwell offered the following resolution:

*Resolved*, That Senate bill No. 394, in relation to railroad track in West Farms and Morrisania, be recommitted to the committee on internal affairs of towns and counties, with instructions to strike out the word "corporation" wherever it occurs in the third, sixth, seventh and ninth sections of said bill, and insert in lieu thereof the word "company," and also to add to the end of the fourth section the following: "or to tap or make any connection with the Croton aqueduct, or in any manner to interfere with said Croton aqueduct or the water passing through the same, or to draw water from any lakes or reservoirs from which water is conducted to supply water to the people of the city of New York," and that said committee report the bill, thus amended, forthwith back to the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act to repeal the charter of the Bellevue Turnpike Company," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the grading of a street in the city of Newburgh," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act to suppress intemperance and regulate the sale of intoxicating liquors in the county of Dutchess, passed April 17, 1867," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to enable Henry Smith, of the town of Guiderland, Albany county, to set apart a plot of ground for a family grave-yard, and to secure the same forever from sale for taxes, and from alienation by deed or otherwise," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes," was recommitted to the committee on finance, with power to report complete.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen

and Crogan, in the county of Lewis, to issue bonds and subscribe and take for said towns, capital stock in the Utica and Black River Railroad Company," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend section 1 of chapter 537 of Laws of 1866, entitled 'An act authorizing the changing the course of the creek running through the village of Westville, in the county of Otsego,'" was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act authorizing the levying of an annual tax upon the lot owners in the Lyons Rural Cemetery for the improvement thereof," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act in relation to the working of the quarry contract at the State Prison at Sing Sing," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Evangelical Lutheran Synod of the State of New York," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Morgan, on behalf of Mr. Edwards, and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 507, of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," was recommitted to the committee on railroads, with power to report complete.

By unanimous consent, Mr. Chapman asked and obtained leave to introduce a bill entitled "An act to enlarge and extend the limits of the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Hale, from the committee on claims, to which was referred the petition of supervisors of the towns of Manheim, Danube and Little Falls, for an appropriation for a bridge at Fink's Basin, reported by bill entitled "An act for the relief of the towns of Little Falls, Manheim and Danube, Herkimer county, in relation to the bridge at Fink's Basin," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Bremen and Crogan,



in the county of Lewis, to issue bonds and subscribe and take for said towns capital stock in the Utica and Black River Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on militia and public defence, to which was referred the petition of Major George W. Sauer for relief, reported by bill entitled "An act for the relief of George W. Sauer," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act to incorporate the White Plains Waterworks Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Beach	Campbell	Crowley	O'Donnell	5
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FOR THE NEGATIVE.

Bradley	Folger	Kennedy	Palmer	Thayer	
Cauldwell	Genet	Morgan	Parker	Tweed	
Chapman	Hale	Nichols	Stanford	Williams	
Creamer	Hubbard	Nicks			18

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the bills entitled as follows:

"An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York."

"An act for the relief of Russell Martin, assignee of William McArthur, contractor on repair section No. 3, of the Genesee Valley canal."

"An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet."

After some time spent therein, the President resumed the chair, and Mr. Creamer, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Creamer, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Beach moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Palmer	Tweed	
Beach	Folger	Kennedy	Parker	Van Petten	
Campbell	Hale	Nichols	Thayer	Williams	
Chapman					16

FOR THE NEGATIVE.

Bradley	Cauldwell	Creamer	Genet	Morris	5
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Whereupon the Senate adjourned.

TUESDAY, APRIL 14, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Graves.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to more effectually secure the arrest and conviction of persons guilty of crime."

"An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company."

"An act for the relief of 'St. Mary's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes."

"An act for the relief of Russell Martin, assignee of William McArthur, contractor on repair section No. 3, of the Genesee Valley canal."

"An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet."

"An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York."

"An act to open and improve Maspeth avenue in the city of Brooklyn."

"An act to declare the village of Williamsville a separate road district, and to provide means, by tax therein, for keeping streets, alleys, sidewalks and crosswalks in repair."

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Morgan	Pierce
Bradley	Crowley	Hubbard	Nichols	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Tweed
Cauldwell	Genet	Mattoon	Parker	Van Patten
Chapman				

21

*Ordered.* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the National Savings Institution of the city of New York,' passed April 20, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Kennedy	Norton	Stanford
Bradley	Edwards	Mattoon	Parker	Tweed
Campbell	Graham	Morgan	Pierce	Van Patten
Cauldwell	Hubbard	Nichols		

18

## FOR THE NEGATIVE.

Creamer Folger

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The Christian Biblical Institute,' to be located at Eddytown, Yates county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Kennedy	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Camp Meeting Association of the Methodist Episcopal Church of the Newburgh district, State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nichols	Parker
Beach	Crowley	Hubbard	Nicks	Pierce
Bradley	Edwards	Kennedy	Norton	Stanford
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Norton	Parker
Campbell	Edwards	Kennedy	O'Donnell	Stanford
Cauldwell	Genet	Nichols	Palmer	Thayer
Chapman	Graham			

17

## FOR THE NEGATIVE.

Bradley	Crowley	Folger
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3

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of 'St. Mary's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	O'Donnell	Stanford	
Bradley	Creamer	Morgan	Palmer	Thayer	
Campbell	Edwards	Nichols	Parker	Williams	
Cauldwell	Hubbard	Nicks			18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the formation of loan, guarantee, and warehousing companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Palmer	Stanford	
Bradley	Edwards	Murphy	Parker	Williams	
Cauldwell	Gonet	Norton	Pierce		14

## FOR THE NEGATIVE.

Campbell	Crowley	Kennedy	Nichols	Tweed	
Chapman	Hubbard	Mattoon	Nicks		9

Mr. Murphy moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act incorporating 'The Newfield Fireman's Association,' of the village of Newfield, county of Tompkins, and State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Nicks	Parker	
Bradley	Creamer	Hubbard	Nichols	Stanford	
Campbell	Edwards	Kennedy	O'Donnell	Williams	
Cauldwell	Gonet	Mattoon	Palmer		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Norton moved to take from the table the bill entitled "An act to incorporate the Fire Proof Warehousing Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Pierce	
Bradley	Gonet	Kennedy	Norton	Tweed	

Cauldwell Creamer	Graham	Mattoon	Palmer	Van Petten	16
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## FOR THE NEGATIVE.

Campbell Folger	Nichols	Nicks	O'Donnell	Williams	6
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Mr. Norton moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to open and improve Maspeth avenue, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nicks	Pierce	
Bradley	Crowley	Mattoon	Norton	Tweed	
Campbell	Edwards	Morris	O'Donnell	Van Petten	
Cauldwell	Hubbard	Murphy	Palmer	Williams	
Chapman					21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to declare the village of Williamsville a separate road district, and to provide means, by tax therein, for keeping streets, alleys, sidewalks and crosswalks in repair," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Pierce	
Bradley	Edwards	Kennedy	Norton	Thayer	
Cauldwell	Folger	Mattoon	O'Donnell	Tweed	
Chapman	Genet	Morris	Palmer	Van Petten	
Creamer	Graham				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act fixing the compensation of the coroners of the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morris	Parker	
Bradley	Creamer	Hubbard	Nichols	Pierce	
Campbell	Edwards	Kennedy	Norton	Thayer	
Cauldwell	Genet	Mattoon	Palmer	Tweed	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to empower the village of Hornellsville to sell certain real estate, and to purchase a site for and to build a

lock-up, and to extend certain streets in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Parker
Campbell	Folger	Kennedy	Norton	Pierce
Cauldwell	Genet	Mattoon	O'Donnell	Stanford
Chapman	Graham	Morris	Palmer	Tweed
Oremer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the village of Groton to remove the dead from the burying ground in said village to the cemetery, and to authorize said village to hold the old burying ground or sell the same and to purchase a piece of land for re-interment," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Morris	Palmer
Bradley	Edwards	Kennedy	Nichols	Parker
Campbell	Genet	Mattoon	Nicks	Pierce
Cauldwell	Graham	Morgan	O'Donnell	Stanford

20

## FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate, have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the towns of Wilna, Champion, Theresa, Clayton, Alexandria, Orleans, Brownville, Antwerp, Pamela and Le Ray, in the county of Jefferson, and the towns of Greig, Watson, New Breman and Crogan, in the county of Lewis, to issue bonds and subscribe and take for said towns, capital stock in the Utica and Black River Railroad Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Nichols	Stanford
Bradley	Edwards	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	

1

## FOR THE NEGATIVE.

Folger	Morgan	Williams
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Norton	Thayer	
Bradley	Genet	Mattoon	Parker	Tweed	
Cauldwell	Graham	Morris	Pierce	Williams	
Creamer	Hubbard	Nichols	Stanford		19

## FOR THE NEGATIVE.

Chapman	Crowley	O'Donnell			2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Russell Martin, assignee of William McArthur, contractor on repair section No. 3, of the Genesee Valley canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE

Beach	Edwards	Hubbard	Morris	Norton	
Bradley	Folger	Kennedy	Murphy	Pierce	
Chapman	Genet	Mattoon	Nichols	Tweed	
Creamer	Graham				17

## FOR THE NEGATIVE.

Campbell	O'Donnell	Parker	Stanford		4
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hubbard	Norton	Stanford	
Campbell	Edwards	Morgan	O'Donnell	Van Petten	
Cauldwell	Genet	Morris	Parker	Williams	
Chapman	Graham	Nichols	Pierce		19

## FOR THE NEGATIVE.

Crowley	Folger	Kennedy	Mattoon	Murphy	5
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the Canal Appraisers to appraise damages to owners of property on the Skaneateles outlet," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Pierce
Bradley	Folger	Kennedy	Murphy	Stanford
Cauldwell	Genet	Mattoon	Nichols	Tweed
Chapman	Graham	Morgan	Norton	Williams
Creamer				

21

## FOR THE NEGATIVE.

Campbell O'Donnell

2

*Ordered*, That the Clerk deliver said bill to the Assembly and request their concurrence therein.

The Assembly sent for concurrence the bills entitled as follows:

"An act relative to lands devised by Richard Ray, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to enable the electors of the town of Hamilton, Madison county, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend chapter 554 of the Laws of 1865, entitled 'An act to establish a Capital Police district, and to provide for the government thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time.

Mr. Norton moved to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Bradley	Genet	Morris	Norton	Tweed
Cauldwell	Graham	Murphy		

18

## FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Palmer	Thayer
Chapman	Kennedy	Nicks	Parker	Van Petten
Crowley	Mattoon	O'Donnell	Stanford	Williams
Folger				

16

Said bill was referred to the committee on internal affairs of towns and counties.

The Assembly returned the bill entitled "An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia railroad," with a message that they had passed the same, with the following amendments:

Section 2, line 33, engrossed bill, strike out the word "three-fifths" and insert the words "a majority."

Same section, line 36, strike out the word "three-fifths" and insert the words "a majority."

Same section, line 46, strike out the word "three-fifths" and insert the words "a majority."



The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Thayer	
Bradley	Genet	Mattoon	Norton	Tweed	
Campbell	Graham	Morgan	Parker	Williams	
Chapman	Hubbard	Morris	Stanford		19

## FOR THE NEGATIVE.

Folger	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railroad companies."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Chapman moved that said bill be made the special order for 4 o'clock, P. M., to-day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate took a recess until 4 o'clock, P. M.

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 FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railroad companies."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to ratify and confirm the proceedings of the Rochester Waterworks Company."

"An act to incorporate the Wood Library Association of Canandaigua."

"An act to incorporate the Gouverneur Waterworks Company."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act in relation to supplying the State Lunatic Asylum with water."

*Ordered*, That the Clerk deliver said bill to the Governor.

Mr. Folger offered the following resolutions:

*Resolved*, That in mark of respect to the memory of James M. Cook, late of Saratoga Springs, this Senate will attend his funeral to-morrow, and that all ex-Senators, at the Capital, be invited to join with the Senate.

*Resolved*, That the Senate meet on Wednesday the 15th instant, at 9 A. M., and continue in session until 10½ A. M., and that there be an evening session commencing at 7½ P. M.

*Resolved*, That the executive session of to-morrow, be postponed until Thursday the 16th instant, at 12 o'clock, at noon.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

On motion of Mr. Thayer, the Senate adjourned.

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### WEDNESDAY, APRIL 15, 1868.

The Senate met pursuant to adjournment,

No clergyman present.

The journal of yesterday was read and approved.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the laying out of public highways in the town of East Chester, and county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to the commissioners of excise for the county of Erie, and to regulate the granting of licenses therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act appointing Jesse P. Haines, Elijah C. Odell, and Moses C. Crapsey, commissioners for draining certain lands in the town and city of Lockport, in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Metropolitan Boat Club of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to chapter 839 of the Laws of 1866, relative to the consolidation of school districts Nos. 7 and 28, in the town and county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to define the boundaries of the village of Livingstonville, Schoharie county, and in relation to highway labor therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the distribution of moneys reimbursed the several townships of Suffolk county, for excess of years, provided by chapter 29, Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to consolidate school districts Nos. 1 and 2, of the town of Pelham, county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act in relation to joint stock companies and associations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Charles Weiss," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to authorize the city of Newburgh to issue bonds to aid in the construction of the Newburgh and Wallkill Valley railroad, the Newburgh and New York railroad, and the Newburgh and Kingston railroad," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to facilitate the construction of the Newburgh and Wallkill Valley railroad," and as amended, recommend its passage.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize certain towns in the counties of Sullivan and Orange to issue bonds and take stock in any company now organized, or that may hereafter be organized, within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in said county of Sullivan, and the town of Deerpark, in the county of Orange, to Port Jervis, Orange county," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to authorize certain towns in the counties of Sullivan and Orange, to issue bonds and take stock in any company now organized, or that may hereafter be organized within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestborough, in said county of Sullivan, and the town of Deerpark, in the county of Orange, to Port Jervis, Orange county, and to provide for the weight of rails to be used on said road," and as amended, recommend its passage.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Murphy moved that the special order, being the bill entitled "An act in relation to the Erie, New York Central, Hudson River, and Harlem Railroad companies," be postponed until 7½ o'clock this evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act fixing the compensation of the coroners of the city and county of New York."

"An act to incorporate the White Plains Waterworks Company."

"An act to amend section 6, of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14 1845."

"An act in relation to mortgages executed by railroad companies."

"An act to regulate the times of opening and closing the clerk's office of Erie county."

"An act to prevent encroachments upon grave-yards."

"An act to appoint commissioners of fisheries for the State of New York."

"An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law."

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act for the improvement of the navigation of the De Grasse river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge over the Champlain canal, in the village of Fort Edward," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams presented a petition of citizens of Wayne county, town of Arcadia, for the passage of a law making the directors of the Hudson and Harlem railroads ineligible as directors of the New York Central or Erie Railway companies, which was read and referred to the committee of the whole.

Mr. Kennedy presented a petition of J. K. Brunson and others, for relief, which was read and referred to the committee on railroads.

Mr. Murphy presented a remonstrance of citizens of the Ninth ward of Brooklyn, against dividing the said ward into two wards, which was read and referred to the committee on municipal affairs.

Mr. Thayer presented a petition of citizens of Troy, to repeal a law passed 1867, entitled "An act in relation to the inspection of steam boilers, except in the Metropolitan Police district," which was read and referred to the committee on manufactures.

Mr. Edwards presented a remonstrance of supervisors of Suffolk county, against act for refunding of bounty moneys, which was read and referred to the committee on the judiciary.

Mr. Chapman presented a remonstrance of citizens of Enfield, against the division of Tompkins county into two school commissioner districts, which was read and referred to the committee on literature.

Mr. Thayer presented a petition of citizens of Greenwich, in the county of Washington, asking for the passage of an act authorizing the Johnsonville and Union Village Railroad Company to extend said road across the Butterkill, which was read and referred to the committee on railroads.

Mr. Mattoon presented a petition of citizens of Oswego, for an act for the appointment of boat inspector at Oswego, which was read and referred to the committee on canals.

Mr. Folger presented two remonstrances against two school commissioner districts in Tompkins county, which were read and referred to the committee on literature.

Mr. Nichols presented three remonstrances of citizens of Buffalo, against repeal of act of 1867, to regulate the use of certain slips, piers and wharves on the East river, which were read and referred to the committee on commerce and navigation.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to divide the town of Pierrepont, in the county of St. Lawrence, and to erect therefrom the town of Clifton," reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recom-

mitted the Assembly bill entitled "An act to incorporate the Schenectady Astronomical Observatory," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the bill entitled "An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend section 1 of chapter 537 of Laws of 1866, entitled 'An act authorizing the changing the course of the creek running through the village of Westville, in the county of Otsego,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Dutchess,' passed April 17, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorizing the levying of an annual tax upon the lot owners in the Lyons Rural Cemetery for the improvement thereof," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to enable Henry Smith, of the town of Guelderland, Albany county, to set apart a plot of ground for a family grave-yard, and to secure the same forever from sale for taxes, and from alienation by deed or otherwise," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to enable the electors of the town of Hamilton, Madison county, to vote by districts for town officers," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the Military Code of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 19, 1867," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

The President presented a communication from the Canal Board, in reply to a resolution of the Senate calling for information as to the state of the canals, and the means necessary to put them in repair, which was laid on the table and ordered printed.

(See Doc. No. 75.)

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to postpone the operation and effect of certain amendments of the charter of the city of Buffalo, until the first day of January, 1869," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nichols	Pierce
Cauldwell	Genet	Kennedy	Norton	Stanford
Chapman	Graham	Morgan	O'Donnell	Tweed
Crowley	Hale	Morris	Parker	Williams
Edwards				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Folger asked and obtained leave to introduce a bill entitled "An act to amend chapter 957 of the Laws of 1867, entitled 'An act to provide for the appointment of a board of commissioners of public charities, and defining their duties and powers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

On motion of Mr. Genet and by unanimous consent, the committee on the judiciary was discharged from the further consideration of the Assembly bill entitled "An act to incorporate the Metropolitan Boat Club of the city of New York," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Norton	Stanford
Cauldwell	Graham	Morgan	O'Donnell	Thayer
Chapman	Hale	Morris	Parker	Williams
Edwards	Hubbard	Nichols	Pierce	

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Hale asked and obtained leave to introduce a bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the Presbyterian Church at Bedford, Westchester county, to sell and convey the real estate belonging to said Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Cauldwell asked and obtained leave to introduce a bill entitled "An act to incorporate 'The Brewers' Society of Morrisania,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to authorize the town of Greenwich, in the county of Washington, to issue bonds and subscribe to the capital stock of the Union Village and Johnsville Railroad Company, for the purpose of extending said road across the Butterkill, to a point within the bounds of the village of Greenville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to extend Hayward street from Marcy avenue to Broadway, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The bill entitled "An act to amend section 6 of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Nichols	Thayer
Cauldwell	Folger	Kennedy	Parker	Tweed
Chapman	Genet	Morgan	Pierce	Van Petten
Crowley	Graham	Morris	Stanford	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the White Plains Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morris	Thayer
Cauldwell	Folger	Hubbard	Nichols	Tweed

Chapman	Genet	Kennedy	O'Donnell	Van Petten	
Creamer	Graham	Morgan	Parker	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to mortgages executed by railroad companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	Norton	Pierce	
Cauldwell	Graham	Morris	O'Donnell	Tweed	
Creamer	Hubbard	Murphy	Palmer	Van Petten	
Folger	Kennedy	Nichols	Parker		19

## FOR THE NEGATIVE.

Chapman	Hale	Stanford	Thayer	Williams	
Edwards					6

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Pierce	
Cauldwell	Genet	Morgan	Norton	Tweed	
Chapman	Graham	Morris	O'Donnell	Van Petten	
Crowley	Hale	Nichols	Parker	Williams	
Edwards	Hubbard				22

## FOR THE NEGATIVE.

Thayer		1
--------	--	---

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the times of opening and closing the clerk's office of Erie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Stanford	
Cauldwell	Folger	Kennedy	Norton	Tweed	
Chapman	Genet	Morgan	O'Donnell	Van Petten	
Creamer	Graham	Morris	Parker	Williams	
Crowley	Hale	Nichols	Pierce		24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to appoint commissioners of fisheries for the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Campbell	Folger	Kennedy	Nicks	Thayer
Cauldwell	Genet	Morgan	Norton	Tweed
Chapman	Hale	Morris	Parker	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prevent encroachments upon grave-yards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Morgan	O'Donnell	Thayer
Campbell	Edwards	Morris	Parker	Tweed
Cauldwell	Genet	Nicks	Pierce	Williams
Chapman	Graham	Norton		

18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide a free bridge across the Chenango river, in the city of Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Stanford
Campbell	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Genet	Morris	Parker	Tweed
Chapman	Hubbard	Murphy	Pierce	Williams
Creamer	Kennedy	Nichols		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide free bridge or bridges across the Susquehanna river, at Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Thayer
Campbell	Genet	Morgan	Norton	Tweed
Cauldwell	Graham	Murphy	O'Donnell	Van Petten
Chapman	Hale	Nichols	Parker	Williams
Creamer	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to make the village

of Lisle, in the county of Broome, a separate road district, and to confer additional powers upon the trustees of said village," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the payment of certain fines and penalties collected in the city and town of Newburgh, in the county of Orange, to the commissioners of the alma house of said city and town," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of education of Union Free School district No. 1, of the town of Kingsbury, to borrow money to build a school house in said district," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Clinton Liberal Institute,' passed April 29, 1834, by changing the method of electing its trustees," was recommitted to the committee on literature, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of education of Union School district No. 1, in the town of Westfield, Chautauqua county, to borrow money," was recommitted to the committee on literature, with power to report complete.

Mr. Kennedy offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly asking the return of the bill entitled "An act to more effectually secure the arrest and conviction of persons guilty of crime," to the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the following entitled bills recommitted to the committee on municipal affairs, with power to report complete:

"An act amending the act to improve the Gowanus canal, in the city of Brooklyn."

"An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866."

Assembly, "An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed February 17, 1857, and the acts amendatory thereof, passed April 2, 1863."

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the establishment of a Nautical school, in the city of New York," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Tweed offered the following resolution:

*Resolved*, (if the Assembly concur,) That a respectful message be sent to his Excellency the Governor requesting the return to the Senate of the bill entitled "An act in relation to partnerships, and the use by new partnerships of the names of former partnerships," for correction.

*Ordered*, That said resolution be laid on the table.

Mr. Norton offered the following resolution:

*Resolved*, (if the Assembly concur,) That the Legislature will adjourn *sine die*, on Friday the 24th inst., at 10 o'clock P. M. of that day.

*Ordered*, That said resolution be laid on the table.

Mr. Crowley offered the following resolution:

*Resolved*, That the board of Metropolitan fire commissioners be requested to report without delay, whether in their opinion any increase of the pay of the officers or men under their control is necessary or proper.

Mr. Creamer moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger offered the following resolution:

*Resolved*, That the Auditor of the Canal Department be and he is hereby requested to transmit to the Senate copies of the certificates of the Division Engineer or Engineers, on the Eastern division of the canals, as to the performance by the repair contractors of their contracts.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act to incorporate the Evangelical Lutheran Synod of the State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the East Clarkson Cemetery," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Trustees of the Synod of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommitted the Assembly bill entitled "An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to repeal the charter of the Bellevale Turnpike Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize a special town meeting in the towns of Brutus and Cato, in the county of Cayuga, to determine relative to rebuilding of the Bonta bridge in said county, and a bridge between Brutus, Mentz and Conquest," reported that they have made some amendments thereto, and amended the title so as to read "An act to authorize the building of a bridge between Brutus, Mentz and Conquest, in the county of Cayuga," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the laying out of a public highway in the town of Flushing, in the county of Queens," reported in favor of the passage of the same.

On motion of Mr. Genet and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate 'The Security Savings Bank of Buffalo,'" reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Graham, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate 'The Park Savings Bank of Brooklyn,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Graham, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend the charter of the North River Savings Bank, in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to incorporate the Arcade Underground Railroad Company, and to provide for the construction of an Arcade Underground railway in the city of New York," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Campbell dissented from said report, and desired his dissent entered upon the journal, in the words following:

Probably I owe it as a duty to the Senate, and it may be to myself, to state briefly some reason for dissenting from a favorable report, on a measure that has taken so much of our time in committee, and that has been pressed with so much assiduity by its friends.

During the time the Arcade bill was before the committee it was advocated by its friends with pertinacity and earnestness, exhibiting a faith so strong in the adaptability and practicability of the enterprise, that could hardly fail to beget a returning sympathy.

The plan, as a work of magnitude merely, is probably less a question of moment than the consequent danger and damage to property, and the interruption to the business public, that must attend such an undertaking, involving as the plan proposes the excavation of Broadway from wall to wall to a depth of twenty feet or more, changing the water mains, sewers, gas pipes, vaults, and undermining the foundations of valuable buildings; altogether portending such formidable obstacles and if undertaken, an interference that must necessarily produce great difficulty and inconvenience, for many years not only, but a confusion and immense sacrifice in many ways bewildering to contemplate.

I doubt not, if an opportunity could be afforded, such a structure could be built, but on the plan and with the material proposed, I am apprehensive that it would not be of a permanent character, much less indestructible. The street to be erected on columns and girders of iron work, bolted together, the spaces between the girders to be filled in with arches of brick work, twelve inches in thickness, the cavities smoothed over into street form with concrete, and covered with two thickness of four inch plank 'well spiked together,' no doubt an essential part of the structure, but in such a place oxidation of the spikes must soon follow, losing their hold and breaking the combination; on the plank there is to be twelve inches of sand 'on which is laid the pavement,' together making only a few feet in thickness at the crown of

the arches through which to distribute or withstand the concussion of rapid and heavy vehicles passing over its surface; vibration, expansion and contraction of the iron work, are to some extent probable, indeed certain, and so far become disturbing forces, the decay of the planking at no distant day producing displacement and admitting water into the structure, together with the severe frosts of winter, would, I fear prove destructive, long before a failure took place from the corrosion of the iron, which I was led to infer was only a question of time.

Mr. McAlpine said he knew of nothing that would prevent the corrosion of the iron, that its durability depended upon its quality; with some hesitancy he said it might last a century.

The difficulties to be overcome and the obvious hazard to valuable property in constructing such a work in Broadway and the fearful annoyance thereupon, present to my mind objections that are insuperable.

SAMUEL CAMPBELL.

Mr. Genet also stated his dissent from said report, which was ordered entered upon the journal.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the committee on the judiciary authorized to report complete the Assembly bill entitled "An act in relation to joint stock companies and associations."

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the judges of the several courts of the county of Kings, to sentence prisoners for terms less than five years to the penitentiary of said county," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the charter of the United States Warehousing Company," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the relief of Wyllis Barber," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nichols	Pierce
Cauldwell	Genet	Mattoon	Nicks	Thayer
Chapman	Graham	Morgan	Palmer	Van Petten
Creamer	Hale	Morris	Parker	Williams
Crowley	Hubbard	Murphy		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the committee on municipal affairs authorized to report complete the bill entitled "An act to prevent burials near the reservoir and ponds used for the supply of water for the city of Brooklyn."

On motion of Mr. Genet, the Senate took a recess until 7½ o'clock P. M.

## HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the election of two police justices in the town of Kingston,' passed March 20th, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to require the commissioners of excise of the several counties of the State to execute bonds for the faithful performance of their duties, and to enlarge their powers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to discontinue the Shore road in Westfield, Richmond county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend the charter of the Buffalo Street Railroad Company, to authorize it to purchase the railroad, right of way, and property of the Niagara Street Railroad Company, and to dissolve the latter company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the relief of David Kohler, Charles Kohler, John Strech, John Hughson and John Simson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to provide for the payment of appropriations heretofore made to 'The Dispensary of the Troy Hospital,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend and continue in force an act entitled 'An act to incorporate an association for the relief of respectable aged and indigent females, in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act in relation to the public schools in the village of Watertown,' passed April 21, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the board of supervisors of Erie county to levy a tax upon the town of Aurora for the benefit of the Aurora academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to enable the board of supervisors of the county of Erie, to raise money by tax for building and repairing bridges in the town of Aurora, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improving of Third street, in said city,' passed April 17, 1860, and the acts supplementary thereto," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 740 of the Laws of 1865, and chapter 812 of the Laws of 1866, amendatory thereof, being the registry laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Commercial Warehouse Company,' of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to amend the charter of the village of Johnstown, and the several acts amendatory thereof, and to extend the boundary of said village,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 946 of the Laws of 1867, passed May 23, 1867, entitled 'An act to authorize the board of education of the Union School district No. 11, of the town of Whitehall, to borrow money to build a school house in said district,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to incorporate the Pawnors' Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to release to John Wollard the estate, right, title and interest of the people of the State of New York of, in and to a certain piece of land situate in the city of Rochester, of which Ralph M. Crysler, died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, and to provide for relocating said highway over the lands of Isaac Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds and to enlarge the powers of the corporation of said village,' passed March 25, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the towns of Mayfield and Northampton, in the county of Fulton, and the towns of Hope, Benson, Wells and Lake Pleasant, in the county of Hamilton, to issue bonds, and subscribe and take, for said towns, capital stock in the Gloversville, Mayfield and Northville Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to legalize the election of trustees in Free Union School district No. 1, of the town of Plattsburgh, and the several acts of the board of education of said district," which was read the first time, and by una-

nimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1867, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof,' passed May 5, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act declaring certain lands not exempt from taxation, and providing for the payment of taxes due thereon from the years 1863 to 1868 inclusive," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend the charter of the village of Olean," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of Port Chester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the interest of the people of the State of New York in certain real estate, in the city of New York, to Max Steininger," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 140 of the Laws of 1853, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village, and chapter 29 of the Laws of 1866, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief of Frederick C. Thurber," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to enable the towns of Middletown and Southfield, in the county of Richmond, to purchase the property and franchises of the Richmond County Plankroad Company, in said county, and to provide for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to more particularly define the duties of overseers of highways, and their appointment, in conformity with the provision of chapter 522 of Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act conferring upon the Brooklyn Patent Pressed Brick Company power to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to regulate, grade and macadamize the Southern highway, from the village of Westchester, in the towns of Westchester and West Farms,' passed April 12th, 1867,"



which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide means for constructing ditches for carrying off the back water between the Tonawanda creek, and Eleven Mile creek, occasioned by the State dam across those streams for canal purposes at Tonawanda, Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of the Oxford academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to provide a supply of water in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on Hudson river, to Cohecton, on the Delaware river,' passed March 20, 1801, and in relation to toll gates and tolls upon the turnpike road of said corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the construction and maintenance of certain piers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to confirm the title of certain persons to real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to the claim of Patrick Rogers for Canal damages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Ira Peck, and Robert Robinson and sons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend section 2 of chapter 584 of the Laws of 1866, and to legalize the acts of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to reduce the number of directors of the Clinton Fire Insurance Company, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize the construction of a railroad in and through certain streets in the city of Newburgh, and in and through certain roads in the town of Newburgh, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to provide for the construction of a bridge over the Champlain canal, in the village of Mechanicsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the bill entitled "An act to constitute a separate road district in the town of Palatine, in the county of Montgomery," with a message that they had passed the same, with the following amendment:

Section 5, line 12, engrossed bill, after the word "tax" insert the following:

"And any person when duly warned and who shall be assessed in said district for highway labor, and shall refuse or neglect to work such time so assessed, shall pay one dollar for each day so derelict, and the overseer of said district shall have the same powers to collect the same as above provided in this section."

Mr. Stanford moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Hubbard	Nichols	Parker	
Campbell	Edwards	Kennedy	Nicks	Stanford	
Cauldwell	Genet	Morgan	Norton	Thayer	
Chapman	Hale	Morris	O'Donnell	Tweed	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railroad Companies."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill and asked and obtained leave to sit again.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the town of Arcade, in the county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, Wyoming county, on the route already located for the Attica and Allegany Valley railroad."

"An act to amend an act entitled 'An act to provide for laying out and opening a public highway in the town of New Utrecht, Kings county,' passed April 23, 1867."

"An act to protect ice-ponds in the counties of Westchester, Rockland and Putnam, against willful injury."

"An act to amend the act entitled 'An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859,' passed April 8, 1861."

"An act to authorize school district No. 10, of the town of Binghamton, to borrow money to build a school house, and for other purposes."

"An act to enable the Clifton Iron Company to transport passengers, and for other purposes."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Rochester Waterworks Company,' passed April 16, 1852, to increase the capital stock, and authorizing the city of Rochester to aid in the construction of said works, pursuant to section 26 of said act,' passed March 26, 1867, and to repeal certain sections of an act entitled 'An act to authorize the city of Rochester to sell the stock of the Rochester and Genesee Valley Railroad Company, and to assist in the construction of waterworks.'"

"An act authorizing the trustees of Cortlandville academy to convey certain real estate, and to remove academy building and appurtenances."

"An act to incorporate 'The Security Savings Bank,' of the city of New York."

"An act to amend an act entitled 'An act to incorporate the Hudson City Savings Institution,' passed April 4, 1850."

"An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York."

"An act to amend an act entitled 'An act to amend section 1 of chapter 216 of the Laws of 1850, in relation to the Troy Savings Bank,' passed March 7, 1859."

"An act to authorize the supervisor of the town of Denmark to convey by deed the old burial ground, situated near the village of Copenhagen, in said town, to the trustees of 'Riverside Cemetery Association,' and their successors in office, and to specify the qualifications of voters in the meetings of said association."

"An act to amend an act entitled 'An act in relation to academies and schools in the village of Ogdensburgh,' passed April 13, 1857, and for other purposes."

"An act for the relief of Theodocia Wall, Amasa P. Hart, Oliver Breed, Joseph J. Glass, Edwin P. Hopkins, George G. Breed, Edmund Merry and Daniel Hubbard."

"An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860; and the act amendatory thereof, passed March 26, 1861; and the act amendatory thereof, passed May 5, 1863."

"An act authorizing the removal of the burying ground in school district No. 1, of Brasher, St. Lawrence county, and for other purposes."

"An act to amend an act entitled 'An act to provide for the construction of a culvert under the Erie canal, in the village of Canastota,' passed April 10, 1867."

"An act to amend an act in relation to the offices of recorder, assessor, chamberlain and city attorney, of the city of Troy, passed April 19th, 1867."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate 'The Christian Biblical Institute,' to be located at Eddytown, Yates county, New York."

"An act to prohibit gas companies from collecting rent on their meters."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bills entitled as follows:

"An act to provide for the improvement of the hydraulic power of the Great Chazy river, and to check freshets therein."

"An act to authorize certain towns in the counties of Dutchess and Columbia, to issue bonds and take stock in the Dutchess and Columbia Railroad Company."

*Ordered*, That the Clerk deliver said bills to the Governor.

On motion of Mr. Van Petten, the Senate adjourned.

## THURSDAY, APRIL 16, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Stowe.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester."

"An act to incorporate 'The Park Savings Bank,' of Brooklyn."

"An act to incorporate the Evangelical Lutheran Synod, of the State of New York."

"An act to repeal the charter of the Bellvale Turnpike Company."

The Assembly bill entitled "An act to incorporate the East Clarkson Cemetery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Nicks	Thayer
Bradley	Edwards	Morgan	Parker	Tweed
Campbell	Genet	Nichols	Stanford	Van Petten
Cauldwell	Kennedy			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The Trustees of the Synod of Albany,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Nicks	Thayer
Campbell	Hale	Morgan	O'Donnell	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Evangelical Lutheran Synod, of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford
Bradley	Edwards	Mattoon	O'Donnell	Tweed

21

Campbell	Folger	Morgan	Palmer	Van Petten
Cauldwell	Graham	Morris	Parker	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Schenectady Astronomical Observatory," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Palmer	Thayer
Beach	Edwards	Morgan	Parker	Tweed
Bradley	Genet	Morris	Pierce	Van Petten
Campbell	Graham	Nichols	Stanford	Williams
Cauldwell	Kennedy	Nicks		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Beach	Genet	Morgan	Palmer	Thayer
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Murphy	Pierce	Williams
Chapman	Kennedy	Nichols		

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 1 of chapter 537 of Laws of 1866, entitled 'An act authorizing the changing the course of the creek running through the village of Westville, in the county of Otsego,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Stanford
Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Genet	Morgan	Palmer	Tweed
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Hale	Nichols	Pierce	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Dutchess,' passed April 17, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Genet	Morgan	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	Williams
Edwards	Kennedy	Nicks		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the levying of an annual tax upon the lot owners in the Lyons Rural Cemetery, for the improvement thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Mattoon	Nicks	Stanford
Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Hubbard	Morris	Parker	Van Petten
Edwards	Kennedy	Nichols	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable Henry Smith, of the town of Guilderland, Albany county, to set apart a plot of ground for a family grave-yard and to secure the same forever from sale for taxes, and from alienation by deed or otherwise," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Morgan	O'Donnell	Stanford
Campbell	Graham	Morris	Palmer	Thayer
Cauldwell	Hale	Nichols	Parker	Tweed
Chapman	Hubbard	Nicks	Pierce	Williams
Edwards	Mattoon	Norton		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Morgan	O'Donnell	Stanford
Campbell	Hubbard	Morris	Palmer	Thayer
Chapman	Humphrey	Nichols	Parker	Tweed

Edwards	Kennedy	Nicks	Pierce	Van Petten	23
Folger	Mattoon	Norton			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to repeal the charter of the Bellvale Turnpike Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Humphrey	Nichols	Stanford	
Chapman	Graham	Kennedy	Norton	Thayer	
Creamer	Hale	Mattoon	Palmer	Tweed	
Edwards	Hubbard	Morgan	Pierce	Van Petten	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Park Savings Bank of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Tweed	
Bradley	Hale	Morgan	Palmer	Van Petten	
Cauldwell	Hubbard	Morris	Pierce	Williams	
Chapman	Kennedy	Nichols	Stanford		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Norton moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to incorporate the Fire Proof Warehousing Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Norton	Tweed	
Cauldwell	Graham	Morgan	Palmer	Van Petten	
Creamer	Hale	Morris	Pierce	Williams	
Edwards	Hubbard				17

## FOR THE NEGATIVE.

Chapman	Folger	O'Donnell	3
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Palmer	Tweed	
Cauldwell	Genet	Kennedy	Pierce	Van Petten	
Creamer	Graham	Morgan	Stanford	Williams	
Crowley	Hale	Norton			

## FOR THE NEGATIVE.

Chapman      Folger      Morris      8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Murphy moved to take from the table the motion to reconsider the vote upon the third reading of the bill entitled "An act to authorize the formation of loan, guarantee, and warehousing companies."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Hubbard	Murphy	Stanford	
Cauldwell	Genet	Kennedy	Norton	Tweed	
Creamer	Graham	Mattoon	Pierce	Van Petten	
Edwards	Hale	Morgan			18

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Murphy	Pierce	
Cauldwell	Folger	Mattoon	Nichols	Stanford	
Creamer	Graham	Morgan	Norton	Tweed	
Crowley	Hale	Morris	Palmer	Van Petten	20

## FOR THE NEGATIVE.

Kennedy      1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the North River Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morgan	Pierce	
Beach	Creamer	Hale	Morris	Thayer	
Bradley	Edwards	Hubbard	Palmer	Williams	
Campbell	Genet	Mattoon			18

## FOR THE NEGATIVE.

Folger      1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the improvement of the navigation of the De Grasse river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Norton	Thayer
Bradley	Edwards	Morgan	Palmer	Tweed



Campbell	Genet	Nichols	Stanford	Van Petten	
Cauldwell	Hale	Nicks			18

## FOR THE NEGATIVE.

Folger	Kennedy	Mattoon	Williams	4
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to evidence in criminal prosecutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17, 1866, and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for building a bridge across the Tonawanda creek, on the Tonawanda Reservation, and making an appropriation for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to exonerate and discharge the town of Newburgh and the commissioners of highways thereof from the further duty and obligation of repairing, supporting and maintaining certain bridges in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act supplementary to chapter 29 of the Laws of 1865, in relation to the payment of bounties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to lay out, open, extend, and work, certain highways in the town of West Farms, in the town of Westchester, known as Fairmount avenue, and Berrian avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, April 14, 1868.

Pursuant to a joint resolution of the Senate and Assembly, His Excellency the Governor returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 10, 1867," for amendment.

On motion of Mr. Underwood, the vote passing said bill was reconsidered; and by unanimous consent and on his motion, the bill was amended as follows:

Amend the title by inserting after the word "Cambridge," the words "passed April 16, 1866."

Amend section 1, by inserting in line 3, engrossed bill, after the word "Cambridge," the following: "passed April 16, 1866."

Amend section 4, by inserting in line 1, after the word "four" the

following: "An act to incorporate the village of Cambridge, passed April 16, 1866."

Said bill, as amended, was read a third time and passed, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present, and ordered engrossed and sent to the Senate for concurrence.

On motion of Mr. Thayer and by unanimous consent, the vote on the final passage of said bill was reconsidered, the vote being as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Kennedy	Norton	Thayer
Campbell	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Palmer	24

The President put the question whether the Senate would agree to concur in the amendment of the Assembly to said entitled bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nicks	Parker
Beach	Folger	Mattoon	Norton	Pierce
Campbell	Genet	Morgan	O'Donnell	Stanford
Cauldwell	Graham	Morris	Palmer	Thayer
Crowley				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

The Assembly returned the bill entitled "An act to amend an act, entitled 'An act in relation to the offices of recorder, assessor, chamberlain and city attorney of the city of Troy,' passed April 19, 1867," with a message that they non-concur in the amendments made thereto by the Senate, and request a committee of conference thereon, and have appointed on the part of the House as such committee, Messrs. J. L. Flagg, Irving, Brush, Howard and Wells.

Mr. Thayer moved that the Senate do recede from its amendments to said entitled bill.

The President put the question whether the Senate would agree to said motion to recede, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Palmer
Beach	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards	Kennedy	Nicks	Thayer
Cauldwell	Folger	Morgan	O'Donnell	Van Petten
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message that the Senate have receded from its amendments thereto.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Owego Bridge Company,' passed April 16, 1866," with a message that they had passed the same, with the following amendment:

Section 2, lines 4, 5, 6 and 7, printed bill, strike out the following words: "and the stock now held by the present stockholders of said company is hereby declared to be two hundred and sixty-three fully paid up shares of such increased capital stock."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy	Parker
Campbell	Folger	Kennedy	Nichols	Thayer
Cauldwell	Genet	Mattoon	O'Donnell	Tweed
Chapman	Graham	Morgan	Palmer	Williams
Creamer	Hale	Morris		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railroad Companies."

After some time spent therein, the President resumed the chair, and Mr. Crowley, from said committee, reported progress on said bill and asked and obtained leave to sit again.

Mr. Crowley moved that the Senate go into executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session; and after some time spent therein the doors were opened, and the hour of 1 o'clock having arrived, the Senate took a recess until 4 o'clock, P. M.

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FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate the Tioga County Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act releasing the interest of the people of the State of New York in certain real estate, to Matthias McMahon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to 'The Goshen and Deckertown Railway Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to re-appropriate moneys for extraordinary repairs and improvements of the canals; for making maps of the canals under the directions of the Canal Board; for paying awards of the Canal Appraisers prior to 1866; for the payment of miscellaneous claims against the State; for the improvement of the Champlain canal; for the extension of the Chenango canal; for the improvement of the Genesee Valley canal, and for the improvement of the Black River canal; and to appropriate the unappropriated surplus of the tax of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the Chelsea Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Buffalo and Williamsville Railroad Company, empowering it to lease the McAdam road and franchises of The Buffalo and Williamsville McAdam Road Company, and authorizing the consolidation of the said railroad company and the said McAdam Road Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill referred to the committee on railroads to report complete.

"An act to consolidate school districts 1, 4 and 5, and a part of school district No. 2, in the town of East Chester, in the county of Westchester, into one school district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate Odd Fellows' Hall Association of the city of Buffalo,' passed March 28, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act supplementary and to amend an act entitled 'An act to incorporate the village of Spencerport, in the county of Monroe,' passed April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the interest of the people of the State of New York to the heirs of William Harlan, deceased, and to enable them to take, hold, and to dispose of certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Chateaugay Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing and directing the Canal Board to investigate the claim of Ann Mackintosh, of Buffalo, New York, for damages, &c.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the Columbia Yacht Club," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to limit and define the powers and privileges of the Eureka Basin, Warehouse and Manufacturing Company, of Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on claims.

"An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill referred to the committee on railroads to report complete.

"An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of Laws of 1864, entitled 'An act to incorporate the Society for the protection of destitute Roman Catholic children at the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the commissioners of highways of the town of Fort Covington to raise money to build a bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 32 of the Laws of 1868, entitled 'An act to amend an act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls, to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 22, 1867; passed March 18, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate a seminary of education, under the name of 'The Clifton Springs Female Seminary,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of Whitestone," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act in relation to sheriffs."

"An act to postpone the operation and effect of certain amendments of the charter of the city of Buffalo until the first day of January, 1869."

"An act to authorize the town of Saratoga, in the county of Saratoga, to issue bonds to aid in the construction of a railroad from the village of Mechanicsville to intersect the Glen's Falls railroad."

"An act for the further extension of Prospect park, in the city of Brooklyn."

"An act to amend chapter 115 of the Laws of 1865, entitled 'An act concerning the pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, as amended by act passed March 12, 1860, and again by act passed March 14, 1865."

"An act to amend section 6 of an act entitled 'An act for the publication of the Session Laws in two newspapers in each county of this State,' passed May 14, 1845."

"An act making an appropriation to provide for a deficiency in the appropriation for the repairs and maintenance of the Eastern division of the canals during the fiscal year, commencing on the first day of October, 1867."

"An act for the relief of St. Mary's Church, in the city of New York, to amend the act incorporating the same, and for other purposes."

"An act to incorporate the New York City Central Underground Railway Company, and to authorize the said company to construct and operate certain underground railways in the city of New York."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act to incorporate the Cohoes Savings Bank,' passed April 11, 1851."

*Ordered*, That the Clerk return said bill to the Assembly.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to authorize the establishment of a Nautical School in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to enable the electors of any incorporated village of this State, to hold a special election of village officers, in certain cases, and to legalize the acts of officers holding over," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to provide for the grading of a street in the city of Newburgh," with power to report complete, reported

the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Owego Waterworks Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to widen South Seventh street and part of South Sixth street, in the city of Brooklyn, and to regulate, grade and pave the same,' passed May 2, 1863," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening and improving of Union street, in the city of Brooklyn,' passed April 27, 1866; and to confirm the acts of the board of improvement thereby created," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enable the trustees of the village of Greene, Chenango county, to raise money to purchase hose," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the act amendatory thereof, passed April 12, 1866," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the sale of the lands of the State of New York situated in the city of Newburgh, heretofore purchased for the purposes of a regimental armory at the city of Newburgh, and to provide for the construction of a regimental armory in the city of Newburgh upon other lands of the State of New York, and for the appropriation of the proceeds of such sale, with such other moneys as the supervisors of the county of Orange and the common council of the city of Newburgh may appropriate therefor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to establish an eighth ward in the city of Utica," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act creating the office of Metropolitan fire marshal, and prescribing its powers and duties," reported in favor of the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 394 of Laws of 1853, entitled 'An act to make a road district of the village of Gallupville,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Ovid, in the county of Seneca," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed February 17, 1857, and the acts amendatory thereof," passed April 2, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to establish and increase the salary of the assessors of the city of Schenectady," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the Saratoga Gas Light Company to raise money to enlarge and change its works, by issuing bonds or preferred stock," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to establish a receiver in and for the town and village of Greenbush, county of Rensselaer, and to amend the several acts in relation to said town and village," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Pierce, from a majority of the committee on commerce and navigation, to which was recommitted the bill entitled "An act to amend the charter of the United States Warehouse Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommitted the bill entitled "An act to authorize the judges of the several courts of the county of Kings to sentence prisoners for terms less than five years to the penitentiary of said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the Genesee College to change its location," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the



interest of the people of the State of New York in certain real estate in the city of New York, to Max Steininger," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to protect the woodlands in Suffolk county against destruction by fire,' passed April 7, 1847," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the town of Westchester, in Westchester county, to raise money to lay sidewalks in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to enable the electors of the town of Hamilton, Madison county, to vote by districts for town officers," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to enable the electors of the town of Hamilton, in the county of Madison, the town of Vienna, Oneida county, and of the town of Olifton Park, Saratoga county, to vote by districts for town officers," and as amended, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to provide for the payment of certain fines and penalties collected in the city and town of Newburgh, in the county of Orange, to the commissioners of the almshouse of said city and town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled 'An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nichols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck lake, in Cayuga county,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for a free bridge over the Mohawk river,' passed April 6, 1859, and an act supplementary thereto, passed April 8, 1867," reported adversely thereto.

Mr. Stanford moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Morgan	Parker	Stanford
Chapman	Humphrey	Palmer		

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FOR THE NEGATIVE.

Banks	Crowley	Graham	Murphy	O'Donnell
Bradley	Edwards	Hubbard	Nichols	Pierce

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Campbell  
Caldwell  
Creamer

Folger  
Genet

Mattoon  
Morris

Nicks  
Norton

Tweed  
Van Petten

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Mr. Stanford moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to chapter 839 of the Laws of 1866, relative to the consolidation of school districts Nos. 7 and 28, in the town and county of Onondaga," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to authorize the board of education of Union Free school district No. 1, of the town of Kingsbury, to borrow money to build a school house in said district," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Clinton Liberal Institute,' passed April 29, 1834, by changing the method of electing its trustees," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to authorize the board of education of Union School district No. 1, in the town of Westfield, Chautauqua county, to borrow money," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on the erection and division of towns and counties, to which was recommitted the Assembly bill entitled "An act to divide the town of Pierrepont, in the county of St. Lawrence, and to erect therefrom the town of Clifton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the committee on insurance, to which was referred the Assembly bill entitled "An act to incorporate the Insurers' Indemnity Company, of the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Bradley, from the committee on insurance, to which was referred the Assembly bill entitled "An act to reduce the number of directors of the Clinton Fire Insurance Company, of the city of New York," reported in favor of the passage of the same.

On motion of Mr. Bradley and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was recommitted the bill entitled "An act to authorize certain towns and villages in the counties of Onondaga, Madison, and Chenango, to issue bonds and to take stock in the Syracuse and Chenango Valley Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on railroads, to which was recommitted the bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on railroads, to which was recommitted the bill entitled "An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company, to transfer all its rights, franchises and property to the Syracuse and Chenango Valley Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to amend the charter of the Buffalo Street Railroad Company, to authorize it to purchase the railroad, right of way, and property of the Niagara Street Railroad Company, and to dissolve the latter company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize certain towns in the counties of Schoharie, Albany, Greene, Delaware and Ulster, to issue bonds and take stock in and for the extension of the Schoharie Valley railroad," with power to report complete, reported the same complete.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Cauldwell	Graham	Humphrey	O'Donnell	Tweed	
Chapman	Hale	Mattoon	Parker	Van Patten	
Creamer	Hubbard	Morris	Thayer		14

#### FOR THE NEGATIVE.

Crowley	Folger	Morgan	Nichols		4
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*Ordered*, That said bill be read a third time.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the construction of a railroad in and through certain streets in the city of Newburgh, and in and through certain roads in the town of Newburgh, in the county of Orange," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act incorporating the Wallkill Valley Railroad Company, by authorizing said corporation to extend its road to Kingston, Ulster county, and to authorize certain towns in Ulster county to issue bonds to aid in the construction of said road," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company," reported in favor of the passage of the same.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 802 of Laws of 1867, and chapter 874 of Laws of 1866, in relation to the trust and deposit fund of the county of Onondaga," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act concerning the district attorney of the county of Orange,' passed April 29, 1846," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act giving permission to the United States to remove a portion of the public work known as the 'Erie Basin Breakwater,' in or near Buffalo harbor," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the laying out of a public highway in the town of Flushing, in the county of Queens," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to make the village of Lisle, in the county of Broome, a separate road district, and to confer additional powers upon the trustees of said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to discontinue the Shore road in Westfield, Richmond county, State of New York," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the board of supervisors of the county of Erie, to raise money by tax for building and repairing bridges in the town of Aurora, in said county," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the suspended, and said bill recommitted to the committee, with report complete.

Mr. Nicks, from the committee on roads and bridges, to referred the Assembly bill entitled "An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Ponds to Woodside, in the county of Queens," reported in favor of the same.

Mr. Murphy moved to recommit said bill to the committee on roads and bridges, with instructions to so amend the same that it be charged therein upon the 17th ward of Brooklyn, be assessed in the county of Kings, and that the committee have power to report complete.

The President put the question whether the Senate would concur in said motion, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, to referred the Assembly bill entitled "An act to authorize the construction of a bridge across Beaver Dam creek, in the town of Southampton county," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the suspended, and said bill recommitted to the committee, with report complete.

Mr. Nicks, from the committee on roads and bridges, to referred the Assembly bill entitled "An act to enable the town of Southfield, in the county of Richmond, to purchase land and franchises of the Richmond County Plankroad Company, and to provide for the payment of the same," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Edwards and by unanimous consent, the suspended, and said bill recommitted to the committee, with report complete.

Mr. Humphrey, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Fulton Savings Bank in the city of New York," with power to report complete, report complete, with amendments, which report was agreed to and ordered engrossed for a third reading.

Mr. Graham dissented from said report, and desired it to be put upon the journal.

Mr. Palmer, from the committee on charitable and religious institutions, to which was referred the bill entitled "An act for the relief of the Church, in the city of New York, and to amend the act in that behalf passed," reported in favor of the passage of the same, and said bill committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious institutions, to which was recommended the Assembly bill entitled "An act to incorporate the Friendly Society of St. Ambrose Church, in the city of New York," with power to report complete, reported the same complete, report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious institutions, to which was referred the Assembly bill entitled "An act to authorize the trustees of the Hamilton Union Presbyterian Church, of the county of Albany, to sell their parsonage," reported in favor of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious institutions, to which was referred the Assembly bill entitled "An act to incorporate the Congregational and Baptist Society of North Murray, a

porate the First Baptist Church and Society of Kendall, Orleans county," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the Mutual Benefit Savings Bank, in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of education of Union School district No. 1, in the town of Westfield, Chautauqua county, to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Kennedy	Nicks
Bradley	Crowley	Graham	Mattoon	O'Donnell
Campbell	Edwards	Hale	Morris	Parker
Cauldwell	Folger	Hubbard	Nichols	Tweed
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The President announced the order of business of "presentation of petitions."

Mr. Chapman raised the point of order that by a resolution heretofore adopted by the Senate, the special order under consideration this morning, being the bill entitled "An act in relation to the Erie, New York Central, Hudson River and Harlem Railway companies," should continue as the special order for this afternoon.

The President submitted the point of order to the Senate, and put the question "Shall the point of order raised by Mr. Chapman be sustained?" and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railway companies."

After some time spent therein, the hour of 7 o'clock having arrived, the President resumed the chair, and declared the Senate adjourned.



FRIDAY, APRIL 17, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Searle.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, re-  
rectly engrossed, the bills entitled as follows:

"An act to provide for the grading of a street in the city of

"An act to enable the electors of any incorporated village  
to hold a special election of village officers, in certain  
legalize the acts of officers holding over."

"An act to amend the act entitled 'An act to improve  
canal, in the city of Brooklyn,' passed April 19, 1866."

"An act to regulate the manner and payment of town su  
the stock of the Dunkirk, Warren and Pittsburgh Railroa

"An act for the relief of James D. Shuler, conferring j  
the Canal Appraisers to hear and determine his claim for  
for lands appropriated to the enlargement of the Erie cana

"An act to authorize certain towns and villages in th  
Onondaga, Madison and Chenango, to issue bonds and to  
the Syracuse and Chenango Valley Railroad company."

"An act to amend the charter of the United States Wa  
pany."

"An act authorizing the Syracuse, Fayetteville and Ma  
Company, to transfer all its rights, franchises and propert  
cuse and Chenango Valley Railroad Company."

"An act to authorize the judges of the several courts of  
Kings to sentence prisoners for terms less than five year  
tentary of said county."

"An act to amend an act entitled 'An act to establish fi  
for the more effectual prevention of fires in the city of Bro  
April 30, 1866."

Also as correctly re-engrossed:

"An act to constitute a separate road district in the tow  
in the county of Montgomery."

"An act to amend an act entitled 'An act to extend th  
increase the capital stock of the Owego Bridge Company,'  
16, 1866."

The Assembly bill entitled "An act to amend an act en  
for the better regulation of firemen in the city of Brooklyn  
ruary 17, 1857, and the acts amendatory thereof, passed A  
was read a third time.

The President put the question whether the Senate w  
the final passage of said bill, and it was decided in the  
majority of all the members elected to the Senate voting in  
and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

anks	Edwards	Kennedy	Murphy	I
ampbell	Folger	Mattoon	Nichols	I
aidwell	Genet	Morgan	Nicks	S

Chapman	Hubbard	Morris	Norton	Van Petten	22
Crowley	Humphrey				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend the act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Stanford	
Beach	Edwards	Kennedy	Murphy	Thayer	
Campbell	Folger	Mattoon	Nichols	Van Petten	
Cauldwell	Genet	Morgan	Pierce	Williams	22
Chapman	Hubbard				

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the electors of any incorporated village of this State, to hold a special election of village officers in certain cases, and to legalize the acts of officers holding over," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Murphy	Parker	
Campbell	Folger	Mattoon	Nichols	Pierce	
Cauldwell	Hubbard	Morgan	Nicks	Thayer	
Crowley	Humphrey	Morris	Palmer	Van Petten	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the grading of a street in the city of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	Morris	Parker	
Campbell	Edwards	Kennedy	Nichols	Pierce	
Cauldwell	Folger	Mattoon	Nicks	Thayer	
Chapman	Hubbard	Morgan	Norton	Williams	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the Saratoga Gas Light Company to raise money to enlarge and change its works, by issuing bonds or preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	PI
Campbell	Folger	Mattoon	Nicks	St
Cauldwell	Genet	Morgan	Norton	TI
Creamer	Graham	Morris	Parker	W
Crowley	Hubbard	Murphy		

*Ordered*, That the Clerk return said bill to the Assembly, sage informing that the Senate have concurred in the pa same, with amendments.

The bill entitled "An act to amend the charter of the U Warehouse Company," was read a third time.

The President put the question whether the Senate wo the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in f as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Humphrey	Norton	TI
Bradley	Edwards	Mattoon	Palmer	V
Cauldwell	Genet	Morgan	Parker	W
Creamer	Graham	Murphy	Pierce	

## FOR THE NEGATIVE.

Chapman	Kennedy	Nichols	O'Donnell	St
Hubbard	Morris	Nicks		

*Ordered*, That the Clerk deliver said bill to the Assembly, their concurrence therein.

The bill entitled "An act to authorize the judges of the s of the county of Kings to sentence prisoners for terms less th of the penitentiary of said county," was read a third time.

The President put the question whether the Senate wo the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in f and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Murphy	J
Chapman	Genet	Mattoon	Nichols	TI
Creamer	Graham	Morgan	Nicks	V
Edwards	Hubbard	Morris	Norton	

## FOR THE NEGATIVE.

Williams

*Ordered*, That the Clerk deliver said bill to the Assembly, their concurrence therein.

The Assembly bill entitled "An act to enable the electors of Hamilton, in the county of Madison, the town of Vie county, and of the town of Clifton Park, Saratoga county districts for town officers," was read a third time.

The President put the question whether the Senate wo the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in f and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Morgan	Norton	TI
Campbell	Hubbard	Morris	O'Donnell	Tv
Edwards	Kennedy	Nichols	Palmer	Vi
Folger	Mattoon	Nicks	Pierce	W
Genet				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the board of education of Union Free School district No. 1, of the town of Kingsbury, to borrow money to build a school house in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Murphy	Thayer
Campbell	Graham	Mattoon	Nichols	Tweed
Cauldwell	Hubbard	Morgan	Nicks	Van Petten
Creamer	Humphrey	Morris	Palmer	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the payment of certain fines and penalties collected in the city and town of Newburgh, in the county of Orange, to the commissioners of the alms-house of said city and town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Norton	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
Creamer	Humphrey	Nichols	Stanford	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Clinton Liberal Institute,' passed April 29, 1834, by changing the method of electing its trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Humphrey	Nichols	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to divide the town of Pierrepont, in the county of St. Lawrence, and to erect therefrom the town of Clifton," was read a third time.

The President put the question whether the Senate vote the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Mattoon	O'Donnell
Cauldwell	Graham	Morgan	Parker
Creamer	Hubbard	Morris	Pierce
Crowley	Humphrey	Nichols	Stanford
Edwards	Kennedy	Norton	

*Ordered,* That the Clerk return said bill to the Assembly informing that the Senate have concurred in the same, without amendment.

The bill entitled "An act to regulate the manner and pay subscriptions to the stock of the Dunkirk, Warren and Plover Road Company," having been announced for a third reading.

Mr. Morgan moved to recommit said bill to the committee with instructions to strike out the enacting clause.

Mr. Murphy moved to lay the bill upon the table.

The President put the question whether the Senate would motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend the charter of the Buffalo Street Railroad Company, to authorize it to purchase right of way, and property of the Niagara Street Railroad to dissolve the latter company," was read a third time.

The President put the question whether the Senate vote the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols
Campbell	Genet	Mattoon	Norton
Cauldwell	Graham	Morgan	O'Donnell
Creamer	Hubbard	Morris	Parker
Crowley			

*Ordered,* That the Clerk return said bill to the Assembly informing that the Senate have concurred in the same, without amendment.

The Assembly bill entitled "An act to make the village of the county of Broome, a separate road district, and to confer powers upon the trustees of said village," was read a third time.

The President put the question whether the Senate vote the final passage of said bill, and it was decided in the majority of all the members elected to the Senate voting in and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Mattoon	O'Donnell
Cauldwell	Genet	Morris	Palmer
Creamer	Graham	Nichols	Parker
Crowley	Humphrey	Nicks	Pierce
Edwards	Kennedy	Norton	

*Ordered,* That the Clerk return said bill to the Assembly informing that the Senate have concurred in the same, without amendment.

The bill entitled "An act to authorize the establishment

school in the city of New York," having been announced for a third reading,

Mr. Norton moved that said bill be referred to the committee on commerce and navigation, with instructions to strike out enacting clause.

Mr. Folger moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize certain towns in the counties of Schoharie, Albany, Greene, Delaware and Ulster, to issue bonds and take stock in and for the extension of the Schoharie Valley railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Humphrey	Parker	Tweed	
Bradley	Edwards	Morris	Pierce	Van Petten	
Campbell	Genet	O'Donnell	Stanford	Williams	
Cauldwell	Hubbard	Palmer	Thayer		19

## FOR THE NEGATIVE.

Crowley	Folger	Nicks			3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize certain towns and villages in the counties of Onondaga, Madison and Chenango, to issue bonds and to take stock in the Syracuse and Chenango Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Parker	Thayer	
Cauldwell	Hubbard	Morris	Pierce	Tweed	
Chapman	Humphrey	O'Donnell	Stanford	Van Petten	
Creamer	Kennedy	Palmer			18

## FOR THE NEGATIVE.

Banks	Crowley	Folger	Morgan	Nicks	6
Campbell					

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company, to transfer all its rights, franchises and property, to the Syracuse and Chenango Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Murphy	Thayer
Bradley	Edwards	Mattoon	Nichols	Tweed

Campbell	Genet	Morgan	O'Donnell	Van Petten	
Cauldwell	Hubbard	Morris	Stanford		19

## FOR THE NEGATIVE.

Crowley	Folger	Nicks	Williams	4
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Thayer	
Campbell	Genet	Morgan	Parker	Tweed	
Cauldwell	Graham	Morris	Pierce	Van Petten	
Creamer	Hubbard	Murphy	Stanford	Williams	
Edwards	Humphrey				22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morris moved to take from the table the bill entitled 'An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company.'

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The motion to recommit said bill to the committee on railroads, with instructions to strike out the enacting clause, having been withdrawn by Mr. Morgan.

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Morris	Parker	Thayer	
Cauldwell	Hubbard	Nichols	Pierce	Tweed	
Edwards	Humphrey	Nicks	Stanford	Van Petten	
Genet	Kennedy	Norton			18

## FOR THE NEGATIVE.

Campbell	Crowley	Folger	Morgan	Williams	5
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the laying out of a public highway in the town of Flushing, in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer	
Beach	Folger	Mattoon	Norton	Tweed	
Campbell	Hubbard	Morgan	Parker	Van Petten	
Cauldwell	Humphrey	Nichols	Stanford	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Fulton Savings Bank of the city of New York," having been announced for a third reading.

Mr. Graham moved that said bill be recommitted to the committee on banks.

Mr. Humphrey moved to lay upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate the Friendly Society of St. Ambrose Church, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Parker
Bradley	Crowley	Kennedy	Nicks	Pierce
Campbell	Edwards	Mattoon	Norton	Thayer
Cauldwell	Genet	Morris	Palmer	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Mutual Benefit Savings Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Graham	Morris	Palmer	Tweed
Campbell	Hubbard	Nichols	Parker	Van Petten
Cauldwell	Humphrey	Nicks	Pierce	Williams
Creamer	Kennedy			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and the bill entitled "An act for the relief of Jas. D. Shuler, conferring jurisdiction on the Canal Appraisers to hear and determine his claim for compensation for lands appropriated to the enlargement of the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Stanford
Bradley	Folger	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Palmer	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Creamer				

26



*Ordered*, That the Clerk deliver said bill to the Assembly their concurrence therein.

Mr. Stanford, from the committee on canals, to which was referred an Assembly bill entitled "An act to authorize a tax of one mill of valuation for construction of new work upon, and extra repairs of the canals of this State," reported that they have amendments thereto, and amended the title so as to read as follows: "An act to authorize a tax of three-quarters of a mill per dollar for construction of new work upon, and extraordinary repairs of this State," and as amended, recommend its passage; and committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred an Assembly bill entitled "An act to re-appropriate moneys appropriated for ordinary repairs and improvements of the canals; for making new canals under the direction of the Canal Board; for paying Canal Appraisers prior to 1866; for the payment of miscellaneous claims against the State; for the improvement of the Champlain Canal; for the extension of the Chenango canal; for the improvement of the Valley canal, and for the improvement of the Black River Canal; to appropriate the unappropriated surplus of the tax of 1865, and in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly sent for concurrence the bills entitled as follows: "An act to incorporate the 'Teutonia Savings Bank' of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

"An act to facilitate the construction of a railroad from the Chenango depot to the village of Cazenovia, and to authorize Sullivan to subscribe to the capital stock thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Continental Hall Company, of the city of Brooklyn, county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the several acts relating to the Hudson River Bridge Company, at Albany, and authorizing the construction of a bridge across the Hudson river at Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to provide for the Metropolitan fire commissioner, and to regulate and establish the members of the Metropolitan fire department, and to provide compensation to members and employees of the Metropolitan fire department for services rendered between 15th August, 1865, and 1st day of January, 1868,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on fire affairs.

"An act to exempt the property of firemen of the county of Albany to the amount of five hundred dollars, from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to incorporate the Young Men's Association, of Cooperstown," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains Road,' and also a portion of First street, in the village of Mount Vernon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend Flushing avenue, and to lay out and improve Flushing avenue, and Newtown Turnpike road, from Broadway to the city line, and to close and to extend other adjoining streets in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railway companies."

After some time spent therein, the hour of 1 o'clock having arrived, the President resumed the chair, and declared the Senate in recess until 4 o'clock P. M.

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#### FOUR O'CLOCK, P. M.

The Senate again met.

The President presented a communication from the Auditor of the Canal Department, transmitting copies of certificates of Division Engineer on the Eastern division of canals, as to performance by repair contractors of their contracts, in reply to a resolution of the Senate, which was laid on the table and ordered printed.

(See Doc. No. 78.)

The Senate then resolved itself into a committee of the whole, and resumed the consideration of the special order, pending at time of recess, being the bill entitled as follows:

"An act in relation to the Erie, New York Central, Hudson River, and Harlem Railway companies."

After some time spent therein, the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend section 14 of chapter 578 of the Laws of 1866, entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act permitting religious and civic societies in the city of New York to parade through the streets of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.



"An act to authorize the Comptroller to invest the moneys belonging to the Cornell Endowment Fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852,' passed March 17, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Chapman presented a petition of citizens of Cayuga county, against the creation of a great railroad monopoly, which was read and referred to the committee on railroads.

Mr. Tweed presented two remonstrances of all the employers and journeymen printers of the city of New York, against the employment of prison labor in printing, stereotyping, or electrotyping, which were read and referred to the committee on State prisons.

Mr. Nichols presented a remonstrance of citizens of Buffalo, against act to repeal law regulating use of certain slips, piers and wharves in East river, which was read and referred to the committee on commerce and navigation.

Mr. Banks presented a remonstrance of owners of property in Thompson street, New York, against widening the same, which was read and referred to the committee on municipal affairs.

Also a petition for an act to repeal an act passed in 1867, relative to inspection of steam-boilers, which was read and referred to the committee on manufactures.

Mr. Van Petten presented a petition of officers of the 2d Regiment National Guard of the State of New York, in respect to certain claims, which was read and referred to the committee on finance.

Mr. Parker presented a remonstrance of citizens of Clinton and Essex counties, against State aid to the Whitehall and Plattsburgh railroad, which was read and laid on the table.

Mr. Cauldwell presented a remonstrance of tax-payers of the village of West Mount Vernon, against incorporating said village, which was read and referred to the committee on municipal affairs.

Mr. Beach presented two petitions of citizens of Saugerties, for the passage of an act to facilitate the construction of the West Shore Hudson River railroad, which were read and referred to the committee on railroads.

Mr. Murphy presented a petition of owners of land fronting on the Coney Island road, for the widening of said road, which was read and referred to the committee on roads and bridges.

Mr. Cauldwell presented a remonstrance of tax-payers of school districts in East Chester, against consolidation, which was read and referred to the committee on literature.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of a bridge over the Champlain canal, in the village of Mechanicville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide means for constructing ditches for carrying off back-water between the Tonawanda creek and Eleven Mile creek, occasioned by the State dam across those streams for canal purposes, of Tonawanda and Erie canals," reported in favor of the pas-

sage of the same, and said bill was committed to the committee of the whole.

Mr. Bradley, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to incorporate the Insurers' Indemnity Company of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to reduce the number of directors of the Clinton Fire Insurance Company of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the petition of Richard Wright for a release of the interest of the State in certain real estate, to Richard, Robert, James and David Wright, reported by bill entitled "An act to release the interest of the people of the State of New York, of, in and to certain real estate, to Richard Wright, Robert Wright, James Wright and David Wright," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to vest in the board of supervisors of the county of Washington, power, by a vote of the majority of said board, to change the location of the court-houses, jails and clerk's office in said county, and to provide for the erection of a new court-house, jail and clerk's office therein," reported in favor of the passage of the same, with amendments.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to John Woolard the estate, right, title and interest of the people of the State of New York of, in and to a certain piece of land situate in the city of Rochester, of which Ralph M. Crysler died seized," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to draining certain bog and swamp lands in the towns of De Witt and Onondaga, in the county of Onondaga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act appointing James Van Horn, Lorenzo Webster and Stephen F. Gooding, commissioners for draining certain lands in the towns of Newfane and Hartland, in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act appointing Guy C. Humphrey, Samuel Nichols and Chauncey Lumm, commissioners to drain into the Golden Hill creek, certain low lands in the towns of Somerset and Hartland, in Niagara county, and to prevent the overflow of water in said

towns and on lands in the town of Yates, Orleans county," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act for the better protection of persons letting, loaning or hiring out chattels," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of New York, to Max Steininger," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act concerning the district attorney of the county of Orange,' passed April 29, 1846," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act giving permission to the United States to remove a portion of the public work, known as the 'Erie Basin Breakwater,' in or near Buffalo harbor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to provide for the draining of the low lands in the South part of the town of Pendleton, in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Honeyoe Falls, and to enlarge the powers of the corporation," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the bill entitled "An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purpose," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn," reported in favor of the passage of the same, with

amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of the commissioners of Prospect park of the city of Brooklyn, for the extension of said park, and other purposes, reported by bill entitled "An act to provide for the maintenance of the public parks of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village, passed March 25, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act supplementary and to amend an act entitled 'An act to incorporate the village of Spencerport, in the county of Monroe,' passed April 22, 1867," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Chateaugay Waterworks Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856," reported in favor of the passage of the same, with amendments.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the election of two police justices in the town of Kingston,' passed March 20, 1851," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown, and the several acts amendatory thereof, and to extend the boundary of said village,' reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Olean," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widening of Middle street, in said city, and changing the name of same," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to define the boundaries of the village of Livingstonville, Schoharie county, and in relation to highway labor therein," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to widen Vanderbilt avenue, in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its present charter," reported in favor of the passage of the same, with amendments.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act creating the office of Metropolitan Fire Marshal, and prescribing its powers and duties," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to establish and increase the salary of the assessors of the city of Schenectady," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Owego Waterworks Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 140 of the Laws of 1853, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village,' and chapter 29 of the Laws of 1866, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia,'" reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Coxsackie Savings Institution," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Pawnors' Bank of the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Guardian Trust Savings Institution of the city of New York," reported that they have made some amendments thereto, and amended the title by striking out the word "Trust," and as amended, recommend its passage.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the construction of a railroad in and through certain streets in the city of Newburgh, and in and through certain roads in the town of Newburgh, in the county of Orange," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate 'The Security Savings Bank of Buffalo,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate 'The Tioga County Savings Bank,'" reported in favor of the passage of the same.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the board of supervisors of Erie county to levy a tax upon the town of Aurora for the benefit of the Aurora Academy," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred

the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the Skaneateles Railroad Company, and to authorize the same to construct and operate a railroad from the village of Skaneateles to Skaneateles junction,' passed April 17, 1866," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Goshen and Deckertown Railway Company," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from a majority of the committee on railroads, to which was recommitteed the Assembly bill entitled "An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, construct and maintain a public road from the foot of East Second street, in Long Island city, to D street in Blissville, Queens county, and to close certain streets in Long Island city, Queens county," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for building a bridge across the Tonawanda creek on the Tonawanda Reservation, and making an appropriation for the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks moved that the committee on roads and bridges be discharged from the further consideration of the Assembly bill entitled "An act to provide for the removal and construction of certain canal bridges in the village of Rome," and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the making and opening of a road or avenue from Mamaroneck harbor, in the town of Mamaroneck, in the county of Westchester, to some point in the village of White Plains, in the county of Westchester, to be called Mamaroneck avenue," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the supervisor, town clerk and commissioners of highways of the town of Wilton, in the county of Saratoga, to issue the bonds of said town to raise money to pay its indebtedness created for the purpose of building bridges in said town," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton, on the Delaware river,' passed March 20, 1801, and in relation to toll-gates and tolls upon the turnpike road of said corporation," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to enable the board of supervisors of the county of Erie, to raise money by tax, for building and repairing bridges in the town of Aurora, in said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the building of a bridge across Beaver Dam creek, in the town of Southampton, in Suffolk county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to discontinue the Shore road in Westfield, Richmond county, State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to enable the towns of Middletown and Southfield, in the county of Richmond, to purchase the property and franchises of the Richmond County Plankroad Company, in said county, and to provide for the payment of the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act appointing commissioners to investigate the cost and expenditures of building a bridge across the Sacandaga river at Northville, in the town of Northampton, and to provide for the payment of any balance thereof unpaid by said town of Northampton," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize the Southern highway, from the village of Westchester, in the towns of Westchester and West Farms,' passed April 12th, 1867," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An



act regulating highways and bridges in the counties of Suffolk, Queens and Kings,' passed February 23, 1830, and acts amendatory thereof," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to construct Sheepshead Bay avenue, in the county of Kings," reported the same to the Senate for its consideration.

Mr. Murphy moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Sidney and Unadilla Bridge Company,' passed April 27, 1866," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for laying out and opening of a public highway in the town of Newburgh," reported the same to the Senate for its consideration.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the laying out of public highways in the town of East Chester, and county of Westchester," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend and continue in force an act entitled 'An act to incorporate an association for the relief of respectable aged and indigent females in the city of New York,' passed March 10th, 1815, and the acts continuing in force and amending the same," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act relating to the care and custody of children committed to the house provided by the city of Rochester for the reception of idle and truant children," reported in favor of the passage of the same, with amendments.

On motion of Mr. Morgan and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to reorganize the Congregational and Baptist Society of North Murray, and to incorporate the First Baptist Church and Society of Kendall, Orleans county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the Comptroller to invest the money belonging to the Cornell Endowment Fund," reported in favor of the passage of the same.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act in relation to chapter 839 of the Laws of 1866, relative to the consolidation of school districts Nos. 7 and 28, in the town and county of Onondaga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act ceding to the United States jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxation and assessments," with a message that they had passed the same, with the following amendment:

Add at the end of section 1, the words: "and provided also that said island shall not be used for general hospital purposes."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Nicks	Pierce
Bradley	Edwards	Morgan	O'Donnell	Stanford
Campbell	Hubbard	Morris	Palmer	Tweed
Cauldwell	Humphrey	Nichols	Parker	Van Petten
Chapman	Kennedy			

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

By unanimous consent, Mr. Thayer asked and obtained leave to introduce a bill entitled "An act to release the interest of the State in the real estate of which George Pollock, late of Union county, New Jersey, died seized, and situate in the State of New York, to Thomas Watt of Cambridge, Washington county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to release to Margaret Sweeney certain lands in the Twelfth ward, Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Creamer asked and obtained leave to introduce a bill entitled "An act for the better protection of passengers travelling upon railroads," which was read the first time, and by unanimous consent was also read the second time.

Mr. Chapman moved to refer said bill to the select committee appointed to investigate that subject.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Creamer moved to refer to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Kennedy asked and obtained leave to introduce a bill entitled "An act supplementary to an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 3, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to repeal the act passed June 27, 1867, entitled 'An act in relation to the inspection of steam-boilers in the State of New York, except in the Metropolitan police district,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

Mr. Crowley moved to take from the table the resolution in the words following:

*Resolved*, That the board of Metropolitan fire commissioners be requested to report without delay whether, in their opinion, any increase of the pay of the officers or men under their control is necessary or proper.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the building of a bridge between Brutus, Mentz and Conquest, in the county of Cayuga," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nicols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck Lake, in Cayuga county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Williams offered the following resolution:

*Resolved*, That the Assembly bill entitled "An act in relation to the working of the quarry contract at the State Prison at Sing Sing," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the following entitled Assembly bills recommitted to the committee on municipal affairs, with power to report complete:

"An act to amend chapter 394 of Laws of 1853, entitled 'An act to make a road district of the village of Gallupville.'"

"An act to enable the trustees of the village of Greene, Chenango county, to raise money to purchase hose."

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

Mr. Kennedy moved to recommit the bill entitled "An act relating to passengers arriving in the port of New York, and provide for their support under quarantine," to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn," was recommitted to the committee on railroads, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Prospect Park Savings Bank, in the city of Brooklyn," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the following entitled Assembly bills recommitted to the committee on municipal affairs, with power to report complete:

"An act to amend an act entitled 'An act to widen South Seventh st., and part of South Sixth st., in the city of Brooklyn.'"

"An act to amend an act entitled 'An act to provide for the widening and improvement of Union street, in the city of Brooklyn, and to confirm the acts of the board of improvement.'"

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of lands in and near the Wallabout bay, in the city of Brooklyn, and for laying out and constructing a basin, dock and streets therein,' passed May 11, 1867," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in place thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the bill entitled "An act releasing all the rights, &c. of the people of the State of New York to certain lands in the town of Bushwick, county of Kings," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,' passed April 19, 1867," was recommitted to the committee on banks, with power to report complete.

Mr. Creamer moved that the committee on finance be discharged from the further consideration of the petition of officers of the 2d Regiment of National Guard of the State of New York, in respect to certain claims, and that the same be referred to the committee on militia and public defence.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the trustees of the Hamilton Union Presbyterian Church, of Guilderland, Albany county, to sell their parsonage," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the bill entitled "An act to regulate the use of certain docks in the city of Albany," was recommitted to the committee on commerce and navigation, with power to report complete.

Mr. Chapman offered the following resolution:

*Resolved*, That the resolution requiring this Senate to meet at 10 o'clock A. M., be suspended for to-morrow, and that the Senate commence its session to-morrow at half-past 9 A. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the Up-town Savings Bank," was recommitted to the committee on banks, with power to report complete.

Mr. Tweed called for the consideration of the resolution, in the words following:

*Resolved*, (if the Assembly concur,) That a respectful message be sent to his Excellency the Governor requesting the return to the Senate of the bill entitled "An act in relation to partnerships, and the use by new partnerships of the names of former partnerships," for correction.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Palmer offered the following resolution:

*Resolved*, That five copies of the annual report of the State Engineer on Railroads, made to the Legislature of 1868, be printed in the usual style, for each member, officer and reporter of the Legislature.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Van Petten, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act for the relief of Charles Weiss," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Beach offered the following resolution:

*Resolved*, That the Clerk be directed to furnish each Senator with twenty-five copies of the Red Book, for 1868.

Mr. Murphy moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Nicks	Tweed	
Chapman	Humphrey	Nichols	O'Donnell		9

FOR THE NEGATIVE.

Banks	Creamer	Morris	Parker	Thayer
Beach	Edwards	Norton	Pierce	Van Petten
Campbell	Hubbard	Palmer	Stanford	Williams
Cauldwell	Morgan			

Mr. Hubbard moved to amend the resolution of Mr. Beach by inserting after the word "Senator" the words "officers and reporters."

Mr. Creamer moved to further amend by striking out "twenty-five" and inserting "forty."

The President put the question whether the Senate would agree to said motion of Mr. Creamer, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hubbard	Pierce	Thayer	Van Petten	
Cauldwell	Morris	Stanford	Tweed	Williams	11
Creamer	Palmer				

## FOR THE NEGATIVE.

Banks	Chapman	Kennedy	Nichols	Norton	
Bradley	Crowley	Morgan	Nicks	Parker	18
Campbell	Edwards	Murphy			

Mr. Tweed moved to lay the resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Crowley	Murphy	Nicks	
Bradley	Creamer	Humphrey	Nichols	Tweed	10

## FOR THE NEGATIVE.

Beach	Hubbard	Norton	Parker	Thayer	
Campbell	Kennedy	O'Donnell	Pierce	Van Petten	
Cauldwell	Morgan	Palmer	Stanford	Williams	17
Edwards	Morris				

Mr. Nichols moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Hubbard, to amend, and it was decided in the affirmative.

Mr. Parker moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Edwards	Nichols	Tweed	
Chapman	Crowley	Murphy	Nicks		9

## FOR THE NEGATIVE.

Banks	Hubbard	Morris	Palmer	Thayer	
Beach	Humphrey	Norton	Pierce	Van Petten	
Campbell	Kennedy	O'Donnell	Stanford	Williams	17
Cauldwell	Morgan				

Mr. Crowley moved to amend the resolution by making the number 4,000.

Pending the question, the hour of 7 o'clock having arrived the Senate adjourned.

SATURDAY, APRIL 18, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Pursuant to the 9th joint rule, the Senate proceeded to the third reading of bills.

The Assembly bill entitled "An act to reduce the number of directors of the Clinton Fire Insurance company, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Nichols	Stanford
Beach	Chapman	Hubbard	O'Donnell	Tweed
Bradley	Crowley	Humphrey	Parker	Van Petten
Campbell	Edwards	Kennedy	Pierce	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Insurers' Indemnity Company, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Chapman	Humphrey			17

FOR THE NEGATIVE,

Bradley	Folger	Tweed	Williams	8
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to draining certain bog and swamp lands in the towns of De Witt and Onondaga, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman	Hubbard	Morgan	Pierce	Williams
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act appointing James Van Horn, Lorenzo Webster and Stephen F. Gooding, commissioners for draining certain lands in the towns of Newfane and Hartland, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Pierce
Bradley	Folger	Mattoon	O'Donnell	Stanford
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hubbard	Morris	Parker	Williams
Crowley	Humphrey	Nichols		

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act appointing Guy C. Humphrey, Samuel Nichols and Chauncey Lumm, commissioners to drain into the Golden Hill creek certain low lands in the town of Somerset, in Niagara county, and to prevent the overflow of water in said town, and on lands in the town of Yates, Orleans county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	Norton	Stanford
Campbell	Hubbard	Morgan	Palmer	Thayer
Cauldwell	Humphrey	Morris	Parker	Van Petten
Crowley	Kennedy	Nichols	Pierce	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the better protection of persons letting, loaning or hiring out chattels," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Stanford
Bradley	Edwards	Humphrey	Norton	Thayer
Campbell	Folger	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams
Chapman				

21

## FOR THE NEGATIVE.

Banks	Crowley	Nichols
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the interest of the people



of the State of New York in certain real estate in the city of New York, to Max Steininger," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Norton	Stanford
Campbell	Edwards	Mattoon	O'Donnell	Thayer
Cauldwell	Folger	Morris	Parker	Van Petten
Chapman	Graham	Nichols	Pierce	Williams
Creamer	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act concerning the district attorney of the county of Orange,' passed April 29, 1846," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Thayer
Bradley	Edwards	Mattoon	Parker	Tweed
Campbell	Graham	Morgan	Pierce	Van Petten
Cauldwell	Hubbard	Morris	Stanford	Williams
Chapman	Humphrey	Nichols		

23

## FOR THE NEGATIVE.

Folger 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act giving permission to the United States to remove a portion of the public work known as the 'Erie Basin Breakwater,' in or near Buffalo harbor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Thayer
Beach	Edwards	Kennedy	Nicks	Tweed
Bradley	Folger	Mattoon	Norton	Van Petten
Campbell	Graham	Morgan	Stanford	Williams
Creamer	Hubbard	Morris		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the drainage of the low lands in the south part of the town of Pendleton, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard	Nichols	Stanford	Williams
Crowley	Humphrey	Nicks		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Humphrey	Nichols	Pierce
Campbell	Edwards	Kennedy	Nicks	Stanford
Cauldwell	Folger	Mattoon	O'Donnell	Thayer
Chapman	Graham	Morris	Palmer	Van Petten
Creamer	Hubbard	Murphy	Parker	Williams

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act creating the office of 'Metropolitan Fire Marshal,' and prescribing its powers and duties," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Norton	Stanford
Beach	Edwards	Morgan	O'Donnell	Thayer
Bradley	Humphrey	Morris	Palmer	Van Petten
Chapman	Kennedy	Nichols	Parker	Williams
Creamer				

21

## FOR THE NEGATIVE.

Cauldwell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish and increase the salary of the assessors of the city of Schenectady," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Thayer
Campbell	Hubbard	Morris	Palmer	Tweed
Cauldwell	Humphrey	Nichols	Parker	Van Petten
Creamer	Kennedy	Nicks	Stanford	Williams
Crowley				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Owego Water-works Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nicks	Stanford
Bradley	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Folger	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hubbard	Nichols	Pierce	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a railroad in and through certain streets in the city of Newburgh, and in and through certain roads in the town of Newburgh, in the county of Orange," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Parker
Campbell	Edwards	Kennedy	Nicks	Tweed
Cauldwell	Folger	Mattoon	O'Donnell	Van Petten
Chapman	Graham	Morris	Palmer	Williams
Creamer				

21

FOR THE NEGATIVE.

Murphy 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate 'The Security Savings Bank,' of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Crowley	Kennedy	Nicks	Stanford
Campbell	Edwards	Mattoon	O'Donnell	Thayer
Cauldwell	Folger	Morgan	Palmer	Tweed
Chapman	Graham	Morris	Parker	Van Petten
Creamer	Humphrey	Nichols	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Utica, Chenango and Susquehanna Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Stanford
Bradley	Edwards	Mattoon	Norton	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Palmer	Williams
Chapman	Humphrey	Nichols	Parker	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the board of supervisors of Erie county to levy a tax upon the town of Aurora for the benefit of the Aurora academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nichols	Tayer
Bradley	Edwards	Kennedy	O'Donnell	Tweed
Campbell	Folger	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams
Chapman	Hubbard			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the building of a bridge across Beaver Dam creek, in the town of Southampton, in Suffolk county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Tayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hubbard	Morris	Palmer	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Edwards				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to discontinue the Shore road in Westfield, Richmond county, State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Stanford
Beach	Creamer	Kennedy	Norton	Tayer
Bradley	Edwards	Morgan	Palmer	Van Petten
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Hubbard			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the towns of Middletown and Southfield, in the county of Richmond, to purchase the property and franchises of the Richmond County Plankroad Company, in said county, and to provide for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Stanford
Bradley	Creamer	Kennedy	Norton	Tweed
Campbell	Edwards	Morris	Palmer	Van Petten
Cauldwell	Graham	Nichols	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue to Woodside, in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nicks	Parker
Bradley	Edwards	Morgan	Norton	Thayer
Campbell	Folger	Morris	O'Donnell	Tweed
Cauldwell	Hubbard	Murphy	Palmer	Van Petten
Chapman	Humphrey	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to reorganize the Congregational and Baptist Society of North Murray, and to incorporate the First Baptist Church and Society of Kendall, Orleans county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Morgan	Nicks	Stanford
Bradley	Crowley	Morris	O'Donnell	Thayer
Campbell	Edwards	Murphy	Palmer	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Chapman	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to chapter 839 of the Laws of 1866, relative to the consolidation of school districts Nos. 7 and 28, in the town and county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Stanford
Beach	Graham	Morgan	O'Donnell	Thayer
Campbell	Hubbard	Morris	Palmer	Tweed
Cauldwell	Humphrey	Nicks	Parker	Van Petten
Chapman				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Stanford moved to reconsider the vote by which the Assembly bill entitled "An act to authorize the Saratoga Gas Light Company to raise money to enlarge and change its works by issuing bonds or preferred stock," was passed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, the vote being as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Stanford
Campbell	Folger	Mattoon	Nicks	Thayer
Cauldwell	Graham	Morgan	Palmer	Van Petten
Chapman	Hubbard			22

On motion of Mr. Stanford and by unanimous consent, the title of said bill was amended so as to read as follows:

"An act to authorize the Saratoga Gas Light Company to reduce its present stock, and then to increase the same to enable said company to enlarge and change its works."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morgan	Norton
Beach	Chapman	Hubbard	Morris	Palmer
Bradley	Crowley	Humphrey	Nichols	Pierce
Campbell	Edwards	Kennedy	Nicks	Stanford
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the Erie, New York Central, Hudson River and Harlem Railway companies," having been announced for a third reading,

Mr. Creamer moved to lay the bill upon the table until Monday evening, at 8 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

## FOR THE NEGATIVE.

Banks	Graham	Mattoon	Nicks	Stanford
Beach	Hubbard	Morgan	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Folger				

16

When the name of Mr. Campbell was called, he asked the Senate to excuse him from voting on all questions relating to this bill.

The President put the question whether the Senate would excuse Mr. Campbell, and it was decided in the affirmative.

Mr. Murphy moved to recommit said bill to the committee of the whole, with instructions to strike out the first and second sections thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

12

## FOR THE NEGATIVE.

Banks	Graham	Mattoon	Nicks	Stanford
Bauks	Hubbard	Morgan	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Folger				

16

Mr. Creamer moved to lay the bill upon the table until Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

12

## FOR THE NEGATIVE.

Beach	Graham	Mattoon	Nicks	Stanford
Chapman	Hubbard	Morgan	O'Donnell	Van Petten
Folger	Humphrey	Nichols	Parker	Williams

15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	Nicks	Stanford
Beach	Hubbard	Morris	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Folger	Mattoon			

17

## FOR THE NEGATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

12

Mr. Chapman moved to reconsider the vote just taken.

Mr. Creamer moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

12

## FOR THE NEGATIVE.

Banks	Graham	Morgan	Nicks	Stanford
Beach	Hubbard	Morris	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Folger	Mattoon			

17

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Murphy	Palmer	Thayer
Cauldwell	Edwards	Norton	Pierce	Tweed
Creamer	Kennedy			

12

## FOR THE NEGATIVE.

Banks	Graham	Morgan	Nicks	Stanford
Beach	Hubbard	Morris	O'Donnell	Van Petten
Chapman	Humphrey	Nichols	Parker	Williams
Folger	Mattoon			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Tweed offered the following resolution:

*Resolved*, That when the Senate this morning adjourns, it adjourn to meet on Monday evening next, at half-past 7 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its present charter," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown, and the several acts amendatory thereof, and to extend the boundary of said village,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the election of two police justices in the town of Kingston,' passed March 20, 1851," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend chapter 140 of the Laws of 1853, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village,' and chapter 29 of the Laws of 1866, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was



recommitted the Assembly bill entitled "An act to widen Vanderbilt avenue, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to widen South Seventh street and part of South Sixth street, in the city of Brooklyn, and to regulate, grade, and pave the same,' passed May 2, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to enable the trustees of the village of Greene, Chenango county, to raise money to purchase hose," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening and improvement of Union street, in the city of Brooklyn,' passed April 27, 1866, and to confirm the acts of the board of improvement thereby created," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act supplementary and to amend an act entitled 'An act to incorporate the village of Spencerport, in the county of Monroe,' passed April 22, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to define the boundaries of the village of Livingstonville, Schoharie county, and in relation to highway labor therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend chapter 394 of Laws of 1853, entitled 'An act to make a road district of the village of Gallupville,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in the place thereof," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to amend an act entitled 'An act for the improvement of lands in and near the Wallabout bay, in the city of Brooklyn, and for laying out and constructing a basin, dock

and streets therein,' passed May 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the Cocksackie Savings Institution," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act to regulate the use of certain docks in the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the bill entitled "An act to incorporate the Prospect Park Savings Bank, of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Pawnors' Bank of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Guardian Savings Institution of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Tioga County Savings Bank," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend the charter of 'The Up-town Savings Bank,' in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act to repair the State works on the De Grasse river, in St. Lawrence county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the making and opening of a road or avenue from Mamaroneck harbor, in the town of Mamaroneck, in the county of Westchester, to some point in the village of White Plains, in the county of Westchester, to be called Mamaroneck avenue," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was

recommitted the Assembly bill entitled "An act to authorize the supervisor, town clerk and commissioners of highways of the town of Milton, in the county of Saratoga, to issue the bonds of said town to raise money to pay its indebtedness created for the purpose of building bridges in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on Hudson river, to Cohecton, on the Delaware river,' passed March 20, 1801, and in relation to toll gates and tolls upon the turnpike road of said corporation," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize the Southern highway, from the village of Westchester, in the towns of Westchester and West Farms,' passed April 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for the laying out of public highways in the town of East Chester, and county of Westchester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to enable the board of supervisors of the county of Erie, to raise money by tax for building and repairing bridges in the town of Aurora, in said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act regulating highways and bridges in the counties of Suffolk, Queens and Kings,' passed February 23, 1830, and acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act appointing commissioners to investigate the cost and expenditures of building a bridge across the Sacandaga river at Northville, in the town of Northampton, and to provide for the payment of any balance thereof unpaid by said town of Northampton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to lay out, construct and maintain a public road from the foot of East Second street in Long Island city, to D street, in Blissville, Queens county, and to close certain streets in Long Island city, Queens county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the building of a bridge between Brutus, Mentz and Conquest, in the county of

Cayuga," with power to report complete, reported the same complete, the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Sidney and Unadilla Bridge Company,' passed April 27, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to incorporate the Buffalo and Williamsville Railroad Company, empowering it to lease the McAdam road and franchises of the Buffalo and Williamsville McAdam Road Company, and authorizing the consolidation of the said railroad company and the said McAdam Road Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to authorize certain towns in the counties of Sullivan and Orange, to issue bonds and take stock in any company now organized, or that may hereafter be organized within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in said county of Sullivan, and the town of Deerpark, in the county of Orange, to Port Jervis, Orange county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act incorporating the Wallkill Valley Railroad Company, by authorizing said corporation to extend its road to Kingston, Ulster county, and to authorize certain towns in Ulster county to issue bonds to aid in the construction of said road," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the Skaneateles Railroad Company, and to authorize the same to construct and operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April 17, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act in relation to 'The Goshen and Deckertown Railway Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend chapter 32 of the Laws of 1868, entitled 'An act to amend an act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls, to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23, 1867; passed March 18, 1868," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act authorizing the constructing of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from a majority of the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to authorize the trustees of the Hamilton Union Presbyterian Church of Guilderland, Albany county, to sell their parsonage," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to amend and continue in force an act entitled 'An act to incorporate an association for the relief of respectable, aged and indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act releasing all the right, title and interest of the people of the State of New York, to and in certain lands in the town of Bushwick, county of Kings, formerly lying in the East river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act relating to the care and custody of children committed to the house provided by the city of Rochester for the reception of idle and truant children," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recom-

mitted the Assembly bill entitled "An act in relation to joint stock companies and associations," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to vest in the board of supervisors of the county of Washington, power, by a vote of the majority of said board, to change the location of the court houses, jails and clerk's office in said county, and to provide for the erection of a new court house, jail and clerk's office therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release to John Wollard the estate, right, title and interest of the people of the State of New York of, in and to a certain piece of land situate in the city of Rochester, of which Ralph M. Crysler died seized," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to authorize the Comptroller to invest the moneys belonging to the Cornell Endowment Fund," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of the Oxford Academy," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

The Assembly sent for concurrence the bills entitled as follows:

"An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing and directing the commissioners of the Central park, in the city of New York, to build and construct a stone stairway therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The Cornwall Suspension Bridge Company,' for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points at or below Butter Hill, in the highlands, to some proper point opposite thereto on the east side of said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the construction of an iron bridge over the Champlain canal, on Ferry street, in the village of Schuylerville, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of Adam K. Diefendorf, of the town of Minden, Montgomery county," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the 'Clyde Savings Bank,' at Clyde, Wayne county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act in relation to the collection of certain unpaid county taxes in the city of Rochester, in the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act for the more effectual protection of emigrants arriving at the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the construction of a railroad in Third street, and in certain other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend section 31 of chapter 873 of the Laws of 1866, passed May 4, 1866, and section 32 of chapter 939, passed May 17, 1867, relating to buildings and the keeping and storage of combustible materials in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to establish the quorum of the local board of the Oswego Normal and Training School," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act confirming the acts of the people of the towns of Ellicottville, Machias and Great Valley, in the county of Cattaraugus, and authorizing the said several towns to subscribe to the capital stock of the 'Cattaraugus Railway Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to provide for the proving of certain maps and other papers of the 'Farmers' Trust and Loan Company,' in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Samuel Price," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to reduce the fare on the Sixth avenue railroad, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the commissioners of highways of the town of Deerfield to borrow money to pay indebtedness," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of Dorothea M. Palmer, wife of Henry N. Palmer, conferring jurisdiction on the Canal Appraisers to hear and determine her claim for compensation for lands appropriated to the enlargement of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act in relation to the Liverpool and Syracuse Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly returned the bills entitled as follows:

"An act to amend an act entitled 'An act to extend the charter and increase the capital stock of the Owego Bridge Company,' passed April 16, 1866."

"An act to constitute a separate road district in the town of Palatine, in the county of Montgomery."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to authorize and require the Comptroller of the State to settle with the treasurer of the county of Franklin in relation to certain non-resident taxes."

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to incorporate the Hudson Highland Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points between Verplanck's Point and Buttermilk Falls, on said river."

"An act in relation to the Second Particular Baptist Church and Society, of the city of Troy."

"An act to incorporate the Rochester Bridge Company."

"An act to incorporate the German Savings Bank, of the town of Morristania."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to require the Nassau Railroad Company, of Brooklyn, to change part of their route," with a message that they had passed the same, with the following amendments:

Insert after the word "Avenue" on line 7, in engrossed bill, the words "and thence along Vanderbilt avenue."

In line 10, strike out the words "at least two-thirds" and insert the words "a majority."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks  
Campbell

Folger  
Graham

Kennedy  
Mattoon

Nichols  
Norton

Pierces  
Thayer



Cauldwell	Hubbard	Morgan	O'Donnell	Tweed
Creamer	Humphrey	Morris	Parker	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the State in the real estate of which George Pollock, late of Union county, New Jersey, died seized, and situate in the State of New York, to Thomas Watt, of Cambridge, Washington county, New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Folger	Morgan	Palmer	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hubbard	Nichols	Pierce	Williams
Crowley	Humphrey	Nicks		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Graham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,' passed April 1, 1868," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Thayer
Beach	Graham	Morris	Palmer	Tweed
Campbell	Hubbard	Nichols	Parker	Van Petten
Cauldwell	Humphrey	Nicks	Pierce	Williams
Edwards	Kennedy	Norton	Stanford	

24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the construction of a free bridge over the Seneca river, in the towns of Mentz and Conquest, in Cayuga county," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of Olean," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act to authorize the town of Westchester, in Westchester county, to raise money to lay sidewalks in said town," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river, at Amsterdam, in the county of Montgomery,'" was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Chateaugay Waterworks Company," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," was recommitted to the committee on internal affairs of towns and counties, with power to report complete.

The President presented the first annual report of the Board of State Commissioners of Public Charities, which was laid on the table and ordered printed.

(See Doc. No. 79.)

Mr. Parker offered the following resolution:

*Resolved*, That general orders be made a special order for Tuesday next, immediately after the reading of the journal, and continue such special order through the day.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and the committee on roads and bridges authorized to report complete the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Fort Covington, to raise money to build a bridge."

Mr. Creamer moved that the bill entitled "An act for the relief of Geo. Sauer," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to provide for the construction of vertical stone walls along the berme bank of the Erie canal, in the villages of Medina and Albion, and appropriating money therefor."

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley moved that said bill be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nichols	Pierce	
Bradley	Crowley	Hubbard	Nicks	Tweed	
Cauldwell	Edwards	Kennedy	Norton	Van Petten	
Chapman	Folger	Murphy	Palmer	Williams	20

FOR THE NEGATIVE.

Humphrey	O'Donnell	Parker	Thayer	4
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Beach moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Parker	
Beach	Edwards	Kennedy	Nicks	Thayer	
Chapman	Graham	Morris	Palmer	Van Petten	15

FOR THE NEGATIVE.

Cauldwell	Folger	Murphy	Pierce	Williams	
Creamer	Humphrey	Norton	Tweed		9

Whereupon the Senate adjourned.

MONDAY, APRIL 20, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Robinson.

The journal of Saturday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act releasing all the right, title and interest of the people of the State of New York, to and in certain lands in the town of Bushwick, county of Kings, formerly lying in the East river."

"An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn."

"An act to regulate the use of certain docks in the city of Albany."

"An act to incorporate the Coxsackie Savings Institution."

"An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in the place thereof."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the election of two police justices in the town of Kingston,' passed March 20, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford
Beach	Creamer	Humphrey	Norton	Thayer
Bradley	Edwards	Morgan	O'Donnell	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 140 of the Laws of 1853, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village, and chapter 29 of the Laws of 1866, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford
Beach	Creamer	Humphrey	Norton	Thayer
Bradley	Edwards	Morgan	O'Donnell	Tweed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to widen Vanderbilt avenue, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Beach	Graham	Morgan	Norton	Stanford
Campbell	Hale	Morris	O'Donnell	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Chapman	Humphrey			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to widen South Seventh street, and part of South Sixth street, in the city of Brooklyn, and to regulate, grade and pave the same,' passed May 2, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Beach	Graham	Morgan	Norton	Thayer
Campbell	Hale	Morris	Parker	Tweed
Cauldwell	Hubbard	Nichols	Pierce	Van Petten
Chapman	Humphrey			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the trustees of the village of Greene, Chenango county, to raise money to purchase hose," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Nichols	Pierce
Campbell	Graham	Kennedy	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Chapman				

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening and improvement of Union street, in the city of Brooklyn,' passed April 27, 1866; and to confirm the acts of the board of improvement thereby created," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Genet	Kennedy	Nicks	Pierce
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	O'Donnell	Tweed
Chapman	Hubbard			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Genet	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman				

21

*Ordered,* That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act supplementary and to amend an act entitled 'An act to incorporate the village of Spencerport, in the county of Monroe,' passed April 22, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Pierce	
Beach	Creamer	Morgan	Norton	Thayer	
Bradley	Edwards	Morris	O'Donnell	Tweed	
Campbell	Hale	Nichols	Parker	Van Petten	
Cauldwell					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to define the boundaries of the village of Livingstonville, Schoharie county, and in relation to highway labor therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce	
Beach	Edwards	Kennedy	Nicks	Thayer	
Bradley	Graham	Morgan	O'Donnell	Tweed	
Cauldwell	Hubbard	Morris	Parker	Van Petten	
Chapman					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 394 of the Laws of 1853, entitled 'An act to make a road district of the village of Gallupville,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Norton	Stanford	
Campbell	Genet	Kennedy	O'Donnell	Thayer	
Cauldwell	Graham	Morgan	Parker	Tweed	
Chapman	Hale	Nichols	Pierce	Van Petten	
Creamer	Hubbard	Nicks			23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in place thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Bradley	Genet	Kennedy	Norton	Thayer
Cauldwell	Graham	Morgan	O'Donnell	Tweed
Chapman	Hale	Morris	Parker	Van Petten 25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of land in and near the Wallabout bay, in the city of Brooklyn, and for laying out and constructing a basin, dock and streets therein,' passed May 11, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Pierce
Beach	Edwards	Humphrey	Norton	Stanford
Campbell	Genet	Morris	O'Donnell	Thayer
Cauldwell	Hale	Nichols	Parker	Van Petten 21
Chapman				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Coxsackie Savings Institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Pierce
Campbell	Graham	Kennedy	Norton	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten 21
Creamer				

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the use of certain docks in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Beach	Genet	Humphrey	Nichols	Thayer
Cauldwell	Graham	Kennedy	Nicks	Tweed
Creamer	Hale	Morgan	Norton	Van Petten 20

## FOR THE NEGATIVE.

Stanford

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Prospect Park Savings Bank, Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Nichols	O'Donnell	Thayer
Beach	Humphrey	Nicks	Parker	Tweed
Cauldwell	Morgan	Norton	Stanford	Van Petten
Creamer	Morris			

17

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Pawnors' Bank of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Thayer
Beach	Edwards	Hubbard	Norton	Tweed
Campbell	Genet	Humphrey	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Stanford
Beach	Edwards	Humphrey	Norton	Thayer
Campbell	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	

24

## FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Guardian Savings Institution, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Thayer
Campbell	Hubbard	Morgan	Parker	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Creamer	Humphrey	Nichols	Stanford	

1



## FOR THE NEGATIVE.

Beach                      Nicks

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The Assembly bill entitled "An act to incorporate the Tioga County Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morgan	Norton
Bradley	Creamer	Hubbard	Morris	Parker
Campbell	Edwards	Humphrey	Nichols	Pierce
Cauldwell	Gonet	Kennedy	Nicks	Van Petten

20

## FOR THE NEGATIVE.

O'Donnell                      Thayer

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the making and opening of a road or avenue from Mamaroneck harbor, in the town of Mamaroneck, in the county of Westchester, to some point in the village of White Plains, in the county of Westchester, to be called Mamaroneck avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Cauldwell	Gonet	Humphrey	Nichols	Pierce
Chapman	Graham	Kennedy	Nicks	Tweed
Creamer	Hale	Morgan	O'Donnell	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the supervisor, town clerk and commissioners of highways of the town of Milton, in the county of Saratoga, to issue the bonds of said town to raise money to pay its indebtedness created for the purpose of building bridges in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Thayer
Beach	Hale	Morgan	Norton	Tweed
Campbell	Hubbard	Morris	O'Donnell	Van Petten
Cauldwell	Humphrey	Nichols	Parker	Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton, on the Delaware river,' passed March 20, 1801, and in relation to toll-gates and tolls upon the turnpike road of said corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce	
Beach	Hale	Morgan	Norton	Tweed	
Cauldwell	Hubbard	Morris	O'Donnell	Van Petten	
Creamer	Humphrey	Nichols	Parker	Williams	20

## FOR THE NEGATIVE.

Campbell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to regulate, grade and macadamize the Southern highway, from the village of Westchester, in the towns of Westchester and West Farms,' passed April 12th, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Thayer	
Beach	Genet	Kennedy	O'Donnell	Tweed	
Cauldwell	Hale	Morgan	Parker	Van Petten	
Creamer	Hubbard	Morris	Pierce	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to vest in the board of supervisors of the county of Washington, power, by a vote of the majority of said board, to change the location of the court-houses, jails and clerk's office in said county, and to provide for the erection of a new court-house, jail and clerk's office therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Stanford	
Beach	Creamer	Humphrey	Nichols	Thayer	
Campbell	Edwards	Kennedy	O'Donnell	Van Petten	
Cauldwell	Genet	Morgan	Parker	Williams	20

## FOR THE NEGATIVE.

Hale

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the laying out of public highways in the town of East Chester, and county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Thayer
Beach	Edwards	Humphrey	Nichols	Tweed
Campbell	Genet	Kennedy	Parker	Van Petten
Cauldwell	Hale	Morgan	Stanford	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the board of supervisors of the county of Erie, to raise money by tax, for building and repairing bridges in the town of Aurora, in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Stanford
Campbell	Genet	Kennedy	O'Donnell	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Chapman				

21

## FOR THE NEGATIVE.

Williams 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act regulating highways and bridges in the counties of Suffolk, Queens and Kings,' passed February 23, 1830, and acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer
Beach	Edwards	Humphrey	Parker	Tweed
Campbell	Genet	Kennedy	Pierce	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams
Chapman	Hale	Morris		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act appointing commissioners to

investigate the cost and expenditures of building a bridge across the Sacandaga river at Northville, in the town of Northampton, and to provide for the payment of any balance thereof unpaid by said town of Northampton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nicks	Stanford
Beach	Creamer	Kennedy	Norton	Tweed
Bradley	Genet	Morgan	O'Donnell	Van Petten
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Hubbard	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to lay out, construct and maintain a public road from the foot of East Second street, in Long Island city, to D street, in Blissville, Queens county, and to close certain streets in Long Island city, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nicks	Stanford
Beach	Creamer	Morgan	Norton	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Campbell	Hubbard	Nichols	Pierce	Williams
Cauldwell	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the building of a bridge between Brutus, Mentz and Conquest, in the county of Cayuga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Norton	Stanford
Beach	Creamer	Morgan	O'Donnell	Tweed
Bradley	Genet	Morris	Parker	Van Petten
Campbell	Graham	Nichols	Pierce	Williams
Cauldwell	Hubbard	Nicks		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Sidney and Unadilla Bridge Company,' passed April 27, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Morgan	Norton	Stanford
Bradley	Graham	Morris	O'Donnell	Tweed
Campbell	Hubbard	Nichols	Parker	Van Petten
Cauldwell	Humphrey	Nicks	Pierce	Williams
Chapman	Kennedy			

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the Skaneateles Railroad Company, and to authorize the same to construct and operate a railroad from the village of Skaneateles to Skaneateles Junction,' passed April 17, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Humphrey	Nicks	Pierce
Bradley	Creamer	Kennedy	Norton	Stanford
Campbell	Graham	Morris	O'Donnell	Van Petten
Cauldwell	Hubbard	Nichols	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect park, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Norton	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
Creamer	Humphrey	Nicks	Stanford	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize certain towns in the counties of Sullivan and Orange, to issue bonds and take stock in any company now organized, or that may hereafter be organized, within three years after the passage of this act, for the purpose of building a railroad from the village of Monticello, in the county of Sullivan, through the towns of Thompson and Forestburgh, in said county of Sullivan, and the town of Deerpark, in the county of Orange, to Port Jervis, Orange county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	O'Donnell	Stanford	
Bradley	Creamer	Humphrey	Parker	Tweed	
Campbell	Genet	Nichols	Pierce	Van Petten	
Cauldwell	Graham	Norton			18

## FOR THE NEGATIVE.

Kennedy	Nicks	Williams	8
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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act incorporating the Walkill Valley Railroad Company, by authorizing said corporation to extend its road to Kingston, Ulster county, and to authorize certain towns in Ulster county to issue bonds to aid in the construction of said road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Parker	Tweed	
Bradley	Creamer	Humphrey	Pierce	Van Petten	
Campbell	Genet	Nichols	Stanford	Williams	
Cauldwell	Graham	O'Donnell			18

## FOR THE NEGATIVE.

Banks	Kennedy	Nicks	8
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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Goshen and Deckertown Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Morgan	Norton	Stanford	
Campbell	Graham	Morris	O'Donnell	Tweed	
Cauldwell	Hubbard	Nichols	Parker	Van Petten	
Chapman	Humphrey	Nicks	Pierce	Williams	
Creamer	Kennedy				22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the trustees of Hamilton Union Presbyterian Society, of Guilderland, Albany county, to sell their parsonage," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Nichols	Thayer

Bradley	Genet	Kennedy	Norton	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend and continue in force an act entitled 'An act to incorporate an association for the relief of respectable aged and indigent females in the city of New York,' passed March 10, 1815, and the acts continuing in force and amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Nichols	Thayer
Beach	Creamer	Kennedy	Nicks	Tweed
Bradley	Edwards	Morgan	O'Donnell	Van Petten
Campbell	Hubbard	Morris	Parker	Williams
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to joint stock companies and associations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Norton	Stanford
Beach	Edwards	Morgan	O'Donnell	Tweed
Bradley	Graham	Morris	Parker	Van Petten
Campbell	Hubbard	Nichols	Pierce	Williams
Cauldwell	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act releasing all the right, title and interest of the people of the State of New York, to and in certain lands in the town of Bushwick, county of Kings, formerly lying in the east river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Morgan	O'Donnell	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Creamer	Hubbard	Nichols	Pierce	Van Petten
Edwards	Humphrey	Nicks	Stanford	Williams
Genet	Kennedy			

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relating to the house provided by

the city of Rochester for the reception of idle and truant children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Campbell	Genet	Humphrey	Nicks	Stanford
Cauldwell	Graham	Kennedy	O'Donnell	Thayer
Chapman	Hale	Morgan	Parker	Tweed
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release to John Wollard the estate, right, title and interest of the people of the State of New York of, in and to a certain piece of land situate in the city of Rochester, of which Ralph M. Crysler died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Creamer	Humphrey	Nicks	Thayer
Bradley	Edwards	Kennedy	Norton	Tweed
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hale	Morris	Parker	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Comptroller to invest the moneys belonging to the Cornell Endowment Fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Beach	Edwards	Humphrey	Nichols	Thayer
Campbell	Graham	Kennedy	Nicks	Van Petten
Cauldwell	Hale	Morgan	O'Donnell	Williams
Chapman				

21

## FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Buffalo and Williamsville Railroad Company, empowering it to lease the McAdam road and franchises of the Buffalo and Williamsville McAdam Road Company, and authorizing the consolidation of the said railroad company and the said McAdam Road Company," was read a third time.



The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nicks	Pierce
Bradley	Edwards	Morgan	Norton	Thayer
Campbell	Graham	Morris	O'Donnell	Tweed
Cauldwell	Hubbard	Nichols	Parker	Van Petten
Chapman	Humphrey			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its present charter," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Pierce
Beach	Creamer	Humphrey	Nicks	Tweed
Bradley	Edwards	Kennedy	O'Donnell	Van Petten
Campbell	Graham	Morgan	Parker	Williams
Cauldwell	Hale	Morris		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Edwards presented a petition for the passage of the bill in relation to the distribution of moneys reimbursed the several townships of Suffolk county, for excess of years, provided by chapter 29 of Laws of 1865, which was read and referred to the committee on the judiciary.

Mr. Nichols presented a memorial of the Board of Trade of Buffalo against repeal of an act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York, which was read and referred to the committee on commerce and navigation.

The Assembly returned the bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," with a message that they had passed the same, with the following amendments:

Sec. 1, line 4, engrossed bill, after "New York" strike out the word "one" and insert the word "two." Same line and section, strike out the words "and fifty." Add at the end of said section the words: "and two additional to each county in the State."

Mr. Beach moved to non-concur in the amendments of the Assembly, and request a committee of conference.

Mr. Kennedy moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

Mr. Tweed moved that the Senate do non-concur in the amendments of the Assembly.

The President put the question whether the Senate would agree to said motion to non-concur, and it was decided in the affirmative, the vote being as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nicks	Thayer	
Beach	Edwards	Hubbard	Norton	Tweed	
Cauldwell	Genet	Humphrey	O'Donnell	Van Petten	
Chapman	Graham	Morgan	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments.

By unanimous consent, Mr. Humphrey asked and obtained leave to introduce a bill entitled "An act to authorize the town of Sheldon, in the county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, in said county, on or near the route already located for the Attica and Allegany Valley railroad," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Norton	Thayer	
Campbell	Edwards	Humphrey	O'Donnell	Tweed	
Cauldwell	Graham	Morris	Parker	Van Petten	
Chapman	Hale	Nichols	Pierce		19

FOR THE NEGATIVE.

Williams

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the city of Buffalo to borrow money and to subscribe to the capital stock of the Buffalo and Washington Railway Company,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	O'Donnell	Thayer	
Bradley	Edwards	Morgan	Parker	Tweed	
Campbell	Hale	Morris	Pierce	Van Petten	
Cauldwell	Hubbard	Nichols	Stanford	Williams	
Chapman	Humphrey	Norton			23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Creamer offered the following resolution:

*Resolved*, That the Board of Pilot Commissioners of the city of New York be, and they are hereby requested to report to this body the amount of fees annually collected by them from the Sandy Hook Pilots during the years 1865, 1866 and 1867, and what disposition has been made of the same.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Nichols offered the following resolution:

*Resolved*, That the Canal Board be requested to report, at their earliest convenience to the Senate, all the information they may have in regard to the relations of the State to the Sodus Canal Company, under the act of June 27th, 1851, and whether the making of the Otisco Lake reservoir will not supply any deficit of water now existing on the Jordan and Montezuma levels.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Beach moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Nicks	Parker	Thayer	
Campbell	Humphrey	O'Donnell	Stanford	Williams	10

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Morris	Pierce	
Bradley	Edwards	Kennedy	Nichols	Twced	
Cauldwell	Genet	Morgan	Norton	Van Petten	
Chapman	Hale				17

The Assembly returned the bill entitled "An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street," with a message that they had passed the same, with the following amendment:

Section 1, line 5, printed bill, after the word "street" insert the words "with the necessary protecting bulkheads."

The President put the question whether the Senate would agree to concur in the amendment of the Assembly to said entitled bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Edwards	Humphrey	Nicks	Thayer	
Bradley	Genet	Kennedy	Norton	Van Petten	
Cauldwell	Graham	Morgan	Parker	Williams	
Chapman	Hale	Morris	Pierce		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the city of Schenectady to purchase one additional steam fire engine."

"An act to incorporate the Union Foundry Company of Troy."

"An act to amend the charter of the Irving Fire Insurance Company."

"An act to change the name of 'The New York Ladies' Educational Union.'"

"An act in relation to the New York, Housatonic and Northern Railroad Company."

"An act to extend the operation of chapter 448 of the Laws of 1865, being 'An act to facilitate the construction of railroads and tram roads within the counties of Essex and Clinton, and to authorize the formation

of companies therefor,' to the counties of Dutchess, Putnam, Westchester and Orange."

"An act to incorporate the Binghamton and Port Dickinson Railroad Company."

"An act to amend an act entitled 'An act for the removal of obstructions from the outlet of the Cayuga lake and the channel of Seneca river,' passed April 13, 1858, and an act to amend the same, passed April 23, 1862."

"An act to incorporate the 'Forest Port Railroad Company.'"

"An act to incorporate the Veterans of the Twenty-second Regiment, Fourth Brigade, First Division, National Guard of the State of New York."

"An act for the extension of the charter of the Greenport and Shelter Island Ferry Company."

"An act to incorporate the Old Guard of the city of New York."

"An act to incorporate the Shelter Island Wharf and Improvement Company."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled as follows:

"An act ceding to the United States jurisdiction over David's Island, in the harbor of New Rochelle, and exempting the same from taxation and assessments."

*Ordered*, That the Clerk deliver said bill to the Governor.

On motion of Mr. Tweed, the Senate adjourned.

## TUESDAY, APRIL 21, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release the interest of the State in certain real estate of which George Pollard, late of Union county, New Jersey, died seized, and situate in the State of New York, to Thomas Watt, of Cambridge, Washington county."

"An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,' passed April 1, 1868."

"An act to incorporate the Prospect Park Savings Bank, Brooklyn."

Also as correctly re-engrossed:

"An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

The Assembly sent for concurrence the bills entitled as follows:

"An act for the better regulation of the ferries between the city of New York and the surrounding shores," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation

"An act to regulate the rate of ferriage between the cities of New

York and Brooklyn, eastern district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate the Peekskill Waterworks Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the village of West Mount Vernon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the supervisor of the town of Westport, in the county of Essex, to convey certain lands to the Westport Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to provide floating baths in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the common council of the city of Buffalo to procure printing and advertising to be done for said city, in a newspaper printed in the English or German language, other than the official paper of said city, and to pay therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Walworth Hose Association of the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Citizens' Mutual Gas Light Company, of Poughkeepsie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The West Albany Mechanics' Relief Association,' of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the American and Foreign Joint Stock Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the Astoria and Hunter's Point Railroad Company to change the route of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act for the relief of Willis B. Sayre, Julia M. Maxwell Elousia O. Beebe, James M. Sayre and Francis E. McHenry, heirs-at-law of Mathew Sayre, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act in relation to Gas Light Companies in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Hamburg Driving Park Association,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal an act entitled 'An act to incorporate 'The American Trades' Agency,' passed May 18, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act for making indices of the deeds, mortgages, writings, documents and maps of record in the county of Richmond, and for the payment of the cost and expenses thereof, and of the books and materials required for the same,' passed May 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for rebuilding the Eddyville bridge over the Rondout creek, in the county of Ulster, and declaring the same a free bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to extend the time for the collection of Spring, Phila, and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to entitle Charlotte Ann Dennison, Mary Jane Dennison, and Elizabeth Dennison, to become legitimized as the children of James Dennison, deceased, and to become heirs-at-law of said James, and to enable them to receive a pension from the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, as subsequently amended," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to regulate the fees of justices of the peace attending as justices of sessions at the criminal terms of the several courts of record within the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the bill entitled "An act to amend section 8 of chapter 463 of the Laws of 1858, in relation to corporations in the city of New York, in relation to life and health insurance companies," with a message that they had passed the same, with the following amendment:

Insert as section two, the following:

§ 2. This act shall apply to all life insurance companies organized under any laws of this State.

Change section two to section three.

Mr. Parker moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley  
Campbell

Folger  
Genet

Humphrey  
Kennedy

Nichols  
Norton

Stanford  
Tweed

Canlidwell  
Edwards

Graham  
Hubbard

Morgan  
Morris

Pahner.  
Parker

Van Petten 19

FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act approving the lines and grades established under authority of chapter 697 of Laws of 1867," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 15, engrossed bill, after the word "Legislature" insert the words "accompanying the same." Also, after the word "and" strike out the word "with," and after the word "written" strike out the word "assent" and insert in lieu thereof the word "petition," and strike out the words "a majority of" after the word "of."

Same section, line 16, strike out the words "property on the proposed" and insert in lieu thereof the words "majority of lineal feet of frontage on said," and after the word "lines" insert the words "accompanying the," and in line 17, the word "same."

Strike out section 4, and insert as sections 4, 5 and 6, the following:

§ 4. The commissioners of the Central park may, if they deem it necessary for the public interests, alter and amend any part or parts of the bulkhead lines in Spuyten Duyvil creek, and the Harlem river, and upon their filing in the office of the Secretary of State, a map or maps showing any alterations or amendments that they have made, the bulkhead lines so shown on such map, shall become and be the established lines, and the provisions of this act shall be applicable thereto.

§ 5. Section six of said chapter 697, is hereby amended by striking out the words "but said departments shall, upon the requisition of said commissioners, proceed forthwith to do such work and make such improvements within the district as properly come under their respective powers as shall be required by the said commissioners, upon the plan and in the manner specified by the said commissioners," and inserting in the place thereof, as follows: "but the board of commissioners of the Central park shall have exclusive power to regulate, grade, pave, sewer, curb and gutter, and otherwise improve, direct, manage, control and maintain such parts of all streets, avenues and roads as bound and surround any public square or place laid out or retained by said commissioners as aforesaid, in that portion of the district mentioned in the first section of this act, which lies west of the Eighth avenue, in the same manner and to the same extent as the said commissioners now have and possess, with respect to the improvement of the Sixth and Seventh avenues in said city, north of the Central park.

§ 6. This act shall take effect immediately.

Amend the title by adding thereto the following: "and amending said chapter 697, entitled 'An act to alter the map or plan of certain portions of the city of New York, and for the laying out and improvement of the same,' passed April 24, 1867."

Mr. Genet moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley  
Campbell

Folger  
Genet

Humphrey  
Kennedy

Morris  
Nichols

Dig. Parker  
Stanford

Cremer  
Crowley  
Edwards

Graham  
Hubbard

Mattoon  
Morris

Norton  
Palmer

Tweed  
Van Petten

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the general orders.

After some time spent therein, the hour of 1 o'clock having arrived, the President resumed the chair, and declared the Senate in recess until 4 o'clock P. M.

#### FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of general orders, pending at time of recess, being the bills entitled as follows:

"An act to incorporate the Arcade Underground Railway Company of the city of New York, and to provide for the construction of the said railway."

Assembly, "An act providing for additional compensation to deputies, clerks and assistants, in the various departments of the State government."

After some time spent therein, the President resumed the chair, and Mr. Edwards, from said committee, reported that they have made some amendments to the first named bill, and substituted the Assembly bill of same title for Senate bill, and as amended, recommend its passage.

The question being on agreeing to the report of the committee of the whole,

Mr. Genet moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Bradley	Crowley	Hale	O'Donnell	Pierce	
Campbell	Edwards	Hubbard	Palmer	Thayer	
Cauldwell	Folger	Mattoon	Parker	Tweed	
Cremer	Genet	Norton			18

#### FOR THE NEGATIVE.

Banks	Graham	Morgan	Nicks	Van Petten	
Beach	Humphrey	Morris	Stanford	Williams	
Chapman	Kennedy	Nichols			18

Mr. Edwards, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Assembly sent for concurrence the bills entitled as follows:

"An act for the relief of James Gallagher," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the village of Corfu," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act conferring additional corporate powers upon the village of Ellenville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.



"An act to release certain escheated lands to Margaret Zachariassen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the act incorporating the village of Phoenix, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the construction of a railroad from the end of the Long Wharf, on the Hudson river, in the town of Fishkill, Dutchess county, to Matteawan, in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Milton Ferry Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to provide for submitting the amended Constitution to the electors of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate 'The New York and Brooklyn Iron Tubular Tunnel Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize certain towns in the counties of Oswego, Cayuga, Wayne, Monroe, Orleans and Niagara, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize certain towns in the counties of Livingston, Alleghany and Steuben, to issue bonds and take stock in the Erie and Genesee Valley Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to release the interest of the State to a certain lot in the village of Clyde, to Ellen Gaffney and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act confirming the acts of William B. Crandall, a constable of the town of Marshall, Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to define the powers and duties of commissioners of highways in the town of Cortlandt, in the county of Westchester, in relation to laying out and constructing new roads, and the construction of bridges in said town, and prescribing the mode of assessing and paying the costs and damages therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to the opening, extending and widening of Thompson and other streets, in the city of New York," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act confirming a conveyance of real estate to Bridget Henry, and authorizing her to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to change the corporate name of 'The Emigrant Savings Bank of Buffalo,' to 'The Mechanics' Savings Bank of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act releasing the title of the State of New York to certain lands situate in Caledonia, Livingston county, of which Thomas Jenkins died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the charter of the village of Palatine Bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to incorporate the village of College Point, Queens county,' passed April 5, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act authorizing the repairing and improving of Fulton avenue, from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Saugerties Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate 'The New York Health and Accident Insurance Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to afford the same facilities to passengers or property transported by steamboat on the Hudson river as is afforded by railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing supply of pure and wholesome water for the use of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of a railroad from the village of Olean to the Erie railway depot at Olean," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the Society of Agriculture and Horticulture of Westchester county, to mortgage, lease or sell real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relative to the county of New York, to provide for the sup-

port and uses of the county government, by tax, and to improve its property, increase its revenues, and to regulate its officers and its expenditures," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to authorize the board of education of Union Free school district No. 1, of the town of Kingsbury, to borrow money to build a school house in said district."

"An act to authorize the construction of a railroad in and through certain streets in the city of Newburgh, and in and through certain roads in the town of Newburgh, in the county of Orange."

"An act to incorporate the Insurers' Indemnity Company of the city of New York."

"An act for the better protection of persons letting, loaning or hiring out chattels."

"An act to enable the towns of Middletown and Southfield, in the county of Richmond, to purchase the property and franchises of the Richmond County Plankroad Company, in said county, and to provide for the payment of the same."

"An act to consolidate and amend the several acts relating to the village of Honeoye Falls, and to enlarge the powers of the corporation."

"An act giving permission to the United States to remove a portion of the public work known as the 'Erie Basin Breakwater,' in or near Buffalo harbor."

"An act to amend an act entitled 'An act to authorize the election of two police justices in the town of Kingston,' passed March 20, 1851."

"An act to enable the electors of the towns of Hamilton, Madison county, of Vienna, Oneida county, and Clifton, Saratoga county, to vote by districts for town officers."

"An act creating the office of 'Metropolitan Fire Marshal,' and prescribing its powers and duties."

"An act to incorporate the Pawners' Bank of the city of New York."

"An act appointing Guy O. Humphrey, Samuel Nichols and Chauncey Lumm, commissioners to drain into the Golden Hill creek certain low lands in the town of Scmerset, in Niagara county, and to prevent the overflow of water in said towns, and on lands in the town of Yates, Orleans county."

"An act to authorize the construction of a bridge over Newtown creek, and the opening of Green Point avenue, to Woodside, in the county of Queens."

"An act to incorporate the Owego Waterworks Company."

"An act to authorize the building of a bridge between Brutus, Mentz and Conquest, in the county of Cayuga."

"An act to amend an act entitled 'An act to incorporate the Central Park Savings Bank, in the city of New York,' passed April 12, 1867."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bill entitled as follows:

"An act approving lines and grades established under authority of chapter 697 of the laws of 1867, and amending said chapter 697, entitled 'An act to alter the map or plan of certain portions of the city of New York, and for the laying out and improvement of the same,' passed April 24, 1867."

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act to appoint commissioners of fisheries for the State of New York."

*Ordered*, That the Clerk deliver said bill to the Governor.

The hour of 7 o'clock having arrived, the Senate adjourned.

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### WEDNESDAY, APRIL 22, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Murphy presented two remonstrances against the bill for widening the Coney Island plankroad, in the county of Kings, and the subsequent management thereof, which were read and referred to the committee on roads and bridges.

Also, a remonstrance of 118 owners of property on Atlantic street, Brooklyn, remonstrating against the re-paving of said street, which was read and referred to the committee on municipal affairs.

Mr. Tweed presented a remonstrance of Trades' Assembly Union of Ithaca, numbering 134 members, against employment of prison labor in mechanical pursuits, which was read and referred to the committee on State prisons.

Mr. Nichols presented a memorial of the board of trade of Buffalo, against repeal of any act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York, which was read and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Mattoon asked and obtained leave to introduce a bill entitled "An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of boats and the cargoes, at Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Morgan presented the 21st annual report of the Regents of the University on the condition of the State Cabinet of Natural History, and antiquarian collection annexed thereto, which was laid on the table and ordered printed.

(See Doc. No. 93.)

Mr. Morgan offered the following resolution:

*Resolved*, That 1,500 copies of the report of the Regents of the University on the State Cabinet of Natural History, be printed for the use of the Regents.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the State Engineer on Railroads, reported in favor of the adoption of the following resolution:

*Resolved*, That five copies of the annual report of the State Engineer on Railroad, made to the Legislature of 1868, be printed in the usual style for each member, officer and reporter of the Legislature.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act to incorporate the Waddington Canal and Waterworks Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the bill entitled "An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to incorporate the Oswego Falls Agricultural Society," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the Astoria and Hunter's Point Railroad Company to change the route of their road," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act declaring the effect of judgments of the courts of countries foreign to the United States," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13th, 1867," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act incorporating the Safe Deposit Company of

Binghamton," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act conferring upon the Brooklyn Patent Pressed Brick Company, power to hold real estate," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of certain persons to real estate," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the proceedings of Henry H. Hathaway, as justice of the peace of the town of Lenox, Madison county, in this State," reported in favor of the passage of the same, with amendments.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the people of the State of New York to certain lands and premises to Mary Wilson," reported in favor of the passage of the same, with amendments.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the interest of the people of the State of New York in certain real estate to Matthias McMahon," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Board of Trade of the city of Oswego," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," reported in favor of the passage of the same, with amendments.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Byron Paine, as justice of the peace for the town of Warren, county of Herkimer," reported in favor of the passage of the same.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred

the Assembly bill entitled "An act to provide for the proving of certain maps and other papers of the 'Farmers' Trust and Loan Company,' in the county of Cattaraugus," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to lands devised by Richard Ray, deceased," reported in favor of the passage of the same, with amendments.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the Astoria and Hunter's Point Railroad Company to change the route of their road," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Thayer
Beach	Genet	Mattoon	Parker	Tweed
Campbell	Graham	Morgan	Pierce	Van Petten
Edwards	Hubbard	Morris		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Port Richmond and Bergen Point Ferry Company," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the construction and maintenance of certain piers from the southerly side of West Thirteenth street to the northerly side of Hammond street, in the Ninth ward of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company, of Long Island," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was recommitted the bill entitled "An act to amend an act entitled 'An act providing for relief against illegal taxation in the counties of Herkimer, Otsego, Chenango, Madison, Onondaga, Saratoga and Fulton,' passed May 17, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell requested his dissent from said report to be entered upon the journal.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 761 of the Laws of 1866, entitled 'An act authorizing the taxation of stockholders of banks, and the surplus funds of savings banks,' passed April 23, 1866," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868, inclusive," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled 'An act in relation to the assessment of taxes, amending the Revised Statutes on that subject,' reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to authorize the Comptroller of this State to re-pay certain moneys to the county of Putnam," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to exempt the property of firemen of the county of Richmond, to the amount of five hundred dollars, from taxation," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the removal and construction of certain canal bridges in the village of Rome," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron



bridge over the Champlain canal, on Ferry street, in the village of Schuylerville, in the county of Saratoga," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act for the relief of Adam K. Diefendorf, of the town of Minden, Montgomery county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to protect the State in its revenues and tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and the bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," was recommitted to the committee on railroads, with power to report complete.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the 'People's Safe Deposit Company,' of the State of New York," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Samuel Price," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Frederick C. Thurber," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of David Kohler, Charles Kohler, John Streh, John Hughson and John Simson," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act relating to the claim of Patrick Rogers for canal damages," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act to authorize the Canal Appraisers to examine the claims of Charles Collins and others, for damages sustained in consequence of the erection of a dam on the Mohawk river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the bill entitled "An act to rebuild Washington Market, in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide floating baths in the city of New York," reported in favor of the passage of the same.

On motion of Mr. Creamer and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to divide the county of Tompkins into two school commissioners districts, and for the election and appointment of a commissioner for the second district therein," reported in favor of the passage of the same.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish the quorum of the local board of the Oswego Normal and Training School," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act for the relief of the Oxford Academy," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to legalize the election of trustees in Union Free School district No. 1, of the town of Plattsburgh, and the several acts of the board of education of said district," reported in favor of the passage of the same, with amendments.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	Norton	Stanford
Cauldwell	Hale	Morgan	O'Donnell	Thayer
Creamer	Hubbard	Morris	Parker	Van Petten
Edwards	Humphrey	Murphy		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend chapter 946 of the Laws of 1867, passed May 23, 1867," entitled 'An act to authorize the board of education of the Union School district No. 11, of the town of Whitehall, to borrow money to build a school-house in said district,' reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the village of Watertown,' passed April 21, 1865," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Young Men's Association of the village of Cooperstown," reported in favor of the passage of the same.

On motion of Mr. Van Petten and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Stanford offered the following resolution:

*Resolved*, That the following entitled bills, be made the special order for Tuesday next, immediately after third reading of bills:

Assembly, "An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the first day of October, 1868; and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution."

Assembly, "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1868."

Assembly, "An act to re-appropriate moneys for extraordinary repairs and improvements of the canals; for making maps of the canals under the direction of the Canal Board; for paying awards of the Canal Appraisers prior to 1866; for the payment of miscellaneous claims against the State; for the improvement of the Champlain canal; for the extension of the Chenango canal; for the improvement of the Genesee Valley canal, and for the improvement of the Black River canal; and to appropriate the unappropriated surplus of the tax of 1865."

Assembly, "An act to authorize a tax of three-quarters of a mill per dollar of valuation, for the construction of new work upon and extraordinary repairs of the canals of this State."

Assembly, "An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith."

Assembly, "An act directing certain moneys raised by tax for the improvement of the Oneida Lake canal, under chapter 934 of the Laws of 1867, to be paid into the State treasury."

Mr. Creamer moved to amend by striking out the words "immediately after third reading of bills," and inserting the words "evening, at 8 o'clock."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Beach	Edwards	Mattoon	Murphy	Tweed
Cauldwell				

11

#### FOR THE NEGATIVE.

Campbell	Hale	Morris	O'Donnell	Thayer
Chapman	Hubbard	Nichols	Parker	Van Petten
Folger	Humphrey	Nicks	Stanford	Williams
Genet	Kennedy			

17

The President then put the question whether the Senate would agree to said resolution of Mr. Stanford, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Nicks, from the committee on roads and bridges, to which was

recommitted the bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river, at Amsterdam, in the county of Montgomery,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the town of Cazenovia, in the county of Madison, to raise money for repairing and building bridges," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize George W. Snyder, Frederick Snyder and John P. Kimble, to abandon a part of their turnpike road, and for other purposes," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate, grade and macadamize the Westchester Turnpike and Boston Post Road a highway from the village of West Farms to Byram river bridge, in the town of Rye," reported that they have made an amendment thereto, and amended the title so as to read "An act to regulate, grade and macadamize the highway known as the Westchester Turnpike and Boston Post Road, commencing at a point in said road on line dividing the towns of West Farms and Morrisania, to Byram bridge, in the town of Rye," and as amended, recommend its passage.

On motion of Mr. Canldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Fort Covington to raise money to build a bridge," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains Road,' and also a portion of First street, in the village of Mount Vernon," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out, open, extend and

work certain highways in the town of West Farms, in the county of Westchester, known as Fairmount avenue and Berrian avenue," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to more particularly define the duties of overseers of highways and their appointment in conformity with the provisions of chapter 522 of Laws of 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to exonerate and discharge the town of Newburgh, and the commissioners of highways thereof from the further duty and obligation of repairing, supporting and maintaining certain bridges in the county of Orange," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for rebuilding the Eddyville bridge over the Rondout creek, in the county of Ulster, and declaring the same a free bridge," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend the several acts relating to the Hudson River Bridge Company, at Albany, and authorizing the construction of a bridge across the Hudson river, at Albany," reported in favor of the passage of the same, with amendments.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the collection of certain unpaid county taxes in the city of Rochester, in the county of Monroe," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nicols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck Lake, in Cayuga county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to establish the jail liberties of the county of Queens," reported adversely thereto.

Mr. Tweed stated his dissent therefrom.

The President put the question whether the Senate would agree to the report of the majority of the committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

16

FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Cauldwell	Genet	Mattoon	Nichols	Tweed

15

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867," reported adversely thereto.

Mr. Tweed stated his dissent therefrom.

Mr. O'Donnell moved to lay the question of agreeing to the report of committee upon the table.

work certain highways in the town of West Farms, in the county of Westchester, known as Fairmount avenue and Berrian avenue," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to more particularly define the duties of overseers of highways and their appointment in conformity with the provisions of chapter 522 of Laws of 1865," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for the laying out and opening of a public highway in the town of Newburgh," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to exonerate and discharge the town of Newburgh, and the commissioners of highways thereof from the further duty and obligation of repairing, supporting and maintaining certain bridges in the county of Orange," reported in favor of the passage of the same.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for rebuilding the Eddyville bridge over the Rondout creek, in the county of Ulster, and declaring the same a free bridge," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend the several acts relating to the Hudson River Bridge Company, at Albany, and authorizing the construction of a bridge across the Hudson river, at Albany," reported in favor of the passage of the same, with amendments.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the collection of certain unpaid county taxes in the city of Rochester, in the county of Monroe," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nicols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck Lake, in Cayuga county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to establish the jail liberties of the county of Queens," reported adversely thereto.

Mr. Tweed stated his dissent therefrom.

The President put the question whether the Senate would agree to the report of the majority of the committee, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Humphrey	Nicks	Parker	Van Petten
Crowley	Kennedy	O'Donnell	Stanford	Williams
Folger				

16

#### FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton
Beach	Edwards	Hubbard	Murphy	Pierce
Cauldwell	Genet	Mattoon	Nichols	Tweed

15

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867," reported adversely thereto.

Mr. Tweed stated his dissent therefrom.

Mr. O'Donnell moved to lay the question of agreeing to the report of committee upon the table.



The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Nicks	Parker	Van Petten	
Chapman	Humphrey	O'Donnell	Thayer	Williams	10

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Morris	Palmer	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Kennedy	Nichols	Stanford	
Cauldwell	Graham	Morgan	Norton	Tweed	
Creamer					21

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Humphrey	Nicks	Stanford	Van Petten	
Chapman	Kennedy	O'Donnell	Thayer	Williams	
Folger	Morgan	Parker			18

## FOR THE NEGATIVE.

Banks	Creamer	Graham	Murphy	Palmer	
Beach	Crowley	Hale	Nichols	Pierce	
Bradley	Edwards	Hubbard	Norton	Tweed	
Cauldwell	Genet	Morris			18

Said bill was ordered referred to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the 'Clyde Savings Bank,' at Clyde, Wayne county," reported in favor of the passage of the same.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on militia and public defence, to which was referred the petition of officers of the Second Regiment N. G., S. of N. Y., in respect to certain claims, reported by bill entitled "An act to reimburse the Second Regiment of the National Guard, for expenses and losses sustained by its members," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to secure a building site for the American Institute of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to authorize the establishment of a line of coaches and vehicles in and through the Central Park of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Kennedy, from a majority of the committee on municipal to which was referred the bill entitled "An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to defray the expense thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley dissented, and requested his dissent entered upon the journal.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Walworth Hose Association of the village of Saratoga Springs," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the petition of the New York Historical Society, for power to form and found a museum in the Central Park, reported by bill entitled "An act to authorize the commissioners of the Central Park to set apart a site for a Museum of History, Antiquities and Art," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Thayer	
Bradley	Crowley	Humphrey	Nicks	Van Patten	
Campbell	Edwards	Kennedy	Palmer	Williams	
Cauldwell	Graham	Morgan	Parker		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Soldiers' Business Messenger and Dispatch Company,' passed April 15th, 1867," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Creamer dissented therefrom, and desired his dissent entered upon the journal.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to provide for the improvement and maintenance of the public parks of the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Poughkeepsie," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate 'The West Albany Mechanics' Relief Association, of the city of Albany,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick, into one municipal government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof," reported in favor of the passage of the same, with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Peekskill Waterworks Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act authorizing the repairing and improving of Fulton avenue from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof,' passed May 13, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1867, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof,' passed May 5, 1863," reported in favor of the passage of the same, with amendments.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the examination of the accounts and operations of the several commissions in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the sale of the lands of the State of New York situated in the city of Newburgh, heretofore purchased for the purposes of a regimental armory at the city of Newburgh, and to provide for the construction of a regimental armory in the city of Newburgh upon other lands of the State of New York, and for the appropriation of the proceeds of such sale, with such other moneys as the supervisors of the county of Orange and the common council of the city of Newburgh may appropriate therefor," with power

to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of Olean," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Chateaugay Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds and to enlarge the powers of the corporation of said village,' passed March 25, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Buffalo to procure printing and advertising to be done for said city, in a newspaper printed in the English or German language, other than the official paper of said city, and to pay therefor," reported adversely thereto.

Mr. Nichols moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing and directing the commissioners of the Central Park, in the city of New York, to build and construct a stone stairway therein," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to repeal chapter 484 of the Laws of 1865, and chapter 232 of the Laws of 1867, entitled 'An act in relation to the Niagara Frontier Police district,' passed April 1, 1867, and to provide a police force for the city of Buffalo, the government and discipline thereof," reported adversely thereto.

Mr. Nichols moved that the Senate disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion to disagree with the report of the committee, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce	
Bradley	Genet	Morris	Norton	Tweed	
Cauldwell	Graham	Murphy			13

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

The President then put the question whether the Senate would agree to the report of the majority of the committee, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger	Mattoon				17

## FOR THE NEGATIVE.

Banks	Cauldwell	Graham	Murphy	Pierce	
Beach	Edwards	Hubbard	Nichols	Tweed	
Bradley	Genet	Morris	Norton		14

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas, for the city and county of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Pierce offered the following resolution:

*Resolved*, (if the Assembly concur,) That His Excellency the Governor be requested to return to the Assembly, the Assembly bill entitled "An act for the better regulation of firemen in the city of Brooklyn," for the purpose of correcting errors in the title of the same.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said resolution ordered considered at once.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate a seminary of education under the name of 'The Clifton Springs Female Seminary,'" reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to extend Flushing avenue, and to lay out, open and improve Flushing avenue and Newtown Turnpike road from Broadway to the city line, and to close and to extend other adjoining streets in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Moresville Turnpike Company,' passed April 22, 1862," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize George W. Snyder, Frederick Snyder and John P. Kimble, to abandon a part of their turnpike road, and for other purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for rebuilding the Eddyville bridge over Rondout creek, in the county of Ulster, and declaring the same a free bridge," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to incorporate the Lewis County Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Bradley asked and obtained leave to introduce a bill entitled "An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Morris asked and obtained leave to introduce a bill entitled "An act requiring the corporate indebtedness of counties, cities, towns and incorporated villages to be filed in the office of the Comptroller," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the bill entitled "An act for the relief of 'St. Joseph's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Odd Fellows' Association of the city of Buffalo,' passed March 28, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker offered the following resolution:

*Resolved*, (if the Assembly concur,) That Theodore Dwight, Wm. F. Allen, John Stanton Gould and Gaylord B. Hubbell, members of the executive committee of the Prison Association of the State of New York, be a committee (with power to fill their own vacancies,) to inquire into the general administration of the State Prisons, which inquiry however shall have special reference to their financial management, with a view to the question whether the prisons cannot be made self-supporting and so cease to be a burden upon the public treasury, and with a view of examining into the reformatory influences and practices as existing under our present prison system, and that said commission be authorized to summon before them and examine on oath or affirmation, any and all persons whose testimony they may deem important to the furtherance of their investigation; provided, however, that the said commission shall be no expense to the State, but that the proposed investigation shall be wholly at the expense of the Prison Association.

*Ordered*, That said resolution be laid on the table.

The Assembly sent for concurrence the bills entitled as follows:

"An act empowering the board of supervisors of Monroe county to require bail from the superintendent of the Monroe county penitentiary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the safety of life on city railroads in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the construction of an iron bridge over the Black river canal, in the village of Port Leyden, in the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act in relation to the Law Library in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the borrowing of money and the issue of town bonds by the board of town auditors of the town of Varick, in the county of Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly returned the bill entitled "An act to incorporate the city of Ogdensburgh," with a message that they had passed the same, with the following amendments:

Title 2, section 6, engrossed bill, strike out all of said section and insert the following:

§ 6. Chief of police, policemen, assessors, chief engineer of the fire department and assistants, treasurer, clerk and street commissioners, shall be elected by the common council, and hold office during its pleasure. The recorder shall be elected at elections as hereinafter provided, and hold office for one year from the first day of January next succeeding the election, and until another is elected and qualified, but

may be removed for cause in the same manner as justices of the peace; and when elected to fill a vacancy, shall hold only until the expiration of the term; provided, however, that the term of office of the recorder elected at the first election held under this act shall expire on the 31st day of December, 1868. The other officers shall be elected at elections to be held as hereinafter provided, shall hold office for one year from the first day of January next succeeding the election, and until others are elected and qualify, except that the terms of office of all officers elected at the first election held under this act shall terminate on the 31st day of December, 1868. The concurrence of five votes shall be necessary to elect or remove an officer by the common council. The assessors shall hold for three years, one to be elected each year. At the first election held under this act, three assessors shall be elected, one of whom shall reside in each ward, and whose several terms of office shall terminate December 31, 1868. At the first annual election under this act three assessors shall be elected, one of whom shall reside in each ward; and the common council shall determine their respective terms of service, and thereafter supply the vacancies as they occur.

Same title, section 7, strike out all of said section, and insert the following:

§ 7. An annual election shall be held in said city on the second Tuesday of December, in each year, at such places in each ward, as the common council shall appoint, and the terms of office of the several officers elected at such elections shall commence on the 1st day of January thereafter. It shall be the duty of the clerk to publish notices of the elections in two newspapers printed in the city at least two weeks before the election. If no place should be appointed for the elections they shall be held as in the previous year; provided, however, that the first election under this act shall be held in said city on the 2d Wednesday of May, 1868, at such places in each ward as shall be appropriated by the board of trustees of the village of Ogdensburgh, who shall submit resolutions for raising money by taxation to be voted upon at such first election pursuant to this act, and provided further that the term of office of all officers elected on the said second Wednesday of May, 1868, shall expire on the 31st day of December, 1868.

Mr. Parker moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford
Beach	Genet	Kennedy	Nicks	Thayer
Campbell	Graham	Mattoon	Norton	Tweed
Chapman	Hale	Morgan	Palmer	Van Petten
Edwards	Hubbard	Morris	Parker	

24

FOR THE NEGATIVE.

Bradley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The hour of 1 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.



## FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Johnstown, and the several acts amendatory thereof, and to extend the boundary of said village,' having been announced for a third reading,

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill amended by striking out engrossed section 54.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed
Campbell	Folger	Mattoon	Pierce	Van Petten
Cauldwell	Genet	Morgan	Stanford	Williams
Chapman	Graham	Morris		

28

## FOR THE NEGATIVE.

Hale

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 507 of the Laws of 1863, entitled 'An act to authorize the formation of a railroad company, commencing at the city line in the city of Brooklyn, in the county of Kings, to any part of the village of Jamaica, in the county of Queens, and to purchase the franchise of the Brooklyn and Jamaica Turnpike Company,' passed May 7, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Parker	Tweed
Chapman	Humphrey	Morris	Pierce	Van Petten
Edwards	Kennedy	Nichols	Stanford	

19

## FOR THE NEGATIVE.

Williams

1

Mr. Beach moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Stanford	Williams
Bradley	Graham			

7

## FOR THE NEGATIVE.

Banks	Edwards	Nichols	Pierce	Tweed
Campbell	Hale	Parker	Thayer	Van Petten
Chapman	Morgan			

12

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Beach	Folger	Graham	Mattoon	Williams	5
FOR THE NEGATIVE.					
Banks	Hale	Morgan	Parker	Thayer	
Campbell	Humphrey	Morris	Pierce	Tweed	
Chapman	Kennedy	O'Donnell	Stanford	Van Petten	
Edwards					16

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to provide for an iron bridge over the artificial outlet of the Seneca lake," with a message that they had passed the same, with the following amendment:

Add at the end of section 2, the following: "said bridge to be of the same elevation above the water of said outlet as the present wooden structure."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.				
Banks	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Morris	Pierce	Van Petten
Edwards	Hubbard			
				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,'" with a message that they had passed the same, with the following amendments:

Change section 2 to section 3, and insert as section 2, the following:

Sec. 2. Section 3 of title 4 of said act is hereby amended so as to read as follows:

§ 3. Every ordinance or resolution of the common council (excepting those prescribing rules for their own government, and appointing officers or calling for information from the officers of the city), shall before it takes effect be presented, duly certified, to the mayor; if he approve of it he shall sign it, in which case it shall take effect immediately thereafter, unless otherwise ordered; if he do not approve it he shall return it with his objections to the city clerk within one week after he receives it. The council may then proceed to reconsider the same, and if two-thirds of all the members elected then agree to pass the same, it shall take effect as a law; in every such case the vote shall be taken by yeas and nays and entered upon the journal, and the objections of the mayor shall also be entered at length by the clerk with the other proceedings; if such ordinance or resolution shall not be returned by the mayor within one week after he has received it, it shall take effect in like manner as if he had signed it.

Add at the end of section 3, the following: "of said title four of said act is also further amended by adding at the close of said section four the words as follows:

To punish or prohibit the abuse of animals, and to compel persons

to fasten their horses, mules or oxen, attached to vehicles, or otherwise, while standing without or driven in the streets.

To give names to the streets, and numbers to the lots and tenements; to set up or mark conspicuously thereon such number.

To prevent or regulate the rolling of hoops, playing at ball, or any other amusement or practice tending to annoy persons passing in the streets or on the walks, or to frighten horses.

To regulate and control the running of engines and cars through the city, and the rate of speed of the same, and to regulate and prevent the obstruction of streets by engines and trains.

§ 5. Section eleven of title four of said act is hereby amended so as to read as follows:

§ 11. All propositions involving the raising or expenditure of money, or for the payment of any claim, or for the making of local improvements or repairs, or affecting any rights of person or property, shall be presented to the common council in writing, and in the form of an ordinance or resolution; no ordinance or resolution, containing any of the propositions above specified, shall be passed unless by the assent of a majority of all the members elected to the common council; and on the question upon the passage of any such ordinance or resolution, the yeas and nays shall be called and entered upon the record.

§ 6. Section two of title five of said act, is hereby amended by adding at the close thereof, the words as follows: "Except that when required by any person to make certified copies of papers or records to be used in evidence, he shall be entitled to receive ten cents a folio therefor, except from the city; but any person may make such copy himself without charge. In case of the temporary absence or disability of the clerk, the common council may, if they deem proper, appoint a clerk for the time being, who having taken the oath of office, shall during such absence or disability, possess all the powers and perform all the duties of the city clerk.

§ 7. Section fifteen of title five of said act is hereby amended so as to read as follows:

§ 15. *Board of Health.*—The common council shall annually appoint two of their body, who shall be designated as the committee of public health. The mayor and the city clerk, together with the committee aforesaid, shall constitute the board of health for the city of Binghamton. The common council shall also appoint, to hold his office during its pleasure, a competent physician to be health officer of said board. The mayor shall be the presiding officer, and the city clerk shall be the clerk of said board, and keep the minutes thereof. A majority shall be competent to transact any business thereof, and in the absence of the mayor any member (except the clerk) shall be eligible to preside. Said board shall possess and exercise all the powers and authority of boards of health in any of the cities or villages in this State. It may hold its sessions at such times and places as it may see fit, publish from time to time its ordinances, resolutions and regulations as it shall deem proper. Copies of the records, ordinances, resolutions and regulations of the board of health, certified by the city clerk, under the corporate seal, shall be presumptive evidence in all courts and places of the facts therein stated. Every practicing physician in said city, who shall have a patient laboring under any infectious or pestilential disease, shall forthwith make report thereof in writing to the clerk of said board, and for neglecting so to do shall be deemed guilty of a misdemeanor. Said board of health is hereby declared to be organized in accordance with the provisions of the Revised Statutes of the State of New York.

In line 10, section 6, engrossed bill, after the word "services" insert "to be paid in the same manner."

Insert at end of section, engrossed bill, the following, as section 11:

§ 11. Section five of title seven of said act is hereby amended so as to read as follows:

It shall be lawful for the clerk to bid in, at such sale, for the use of the city, any lot of land or premises put up, for which no person will offer to bid, and, if previously authorized by the common council, any lot of land or premises upon which the city may have any lien or claim, and he shall thereupon place upon file, for the use of the city, a certificate of such sale. No mortgage or judgment creditor, whose mortgage or judgment shall have been duly recorded before sale for any tax or assessment, and no owner, occupant or other person interested therein, shall be divested of his rights in such property, unless six months' notice in writing of the purchase of such property, shall have been given to him by the purchaser, or those claiming under him, either personally, or if not found in the city, by mail directed to him at his last known place of residence. Within one month after the service of such notice, it shall be the duty of the person serving or causing the same to be served, to file in the clerk's office a copy of the notice served, together with the affidavit of some credible person, certified as such by the officer before whom such affidavit is taken, proving the due service of the notice.

Add to section 7 engrossed bill, the following: "adding at the end of said section the words as follows: 'The words pave or repave, plank or replank, wherever they occur in this section, may be deemed to include the setting of curb and gutter stone, and the grading of the walk, where the cutting and filling do not exceed an average of twelve inches in depth, and also the building of any tressle necessary to bring the walk to the required grade.

At the end of section 8 engrossed bill, insert the following as section 14, 15, 16, 17 and 18.

§ 14. Section eight of title nine of said act, is hereby amended so as to read as follows:

§ 8. The fiscal year shall terminate on the first Tuesday in February in each year, and no accounts, claims or demands shall be audited by the common council between that time and the first Tuesday after the annual city election; at the close of the fiscal year, and during the week preceding said election, the common council shall cause to be prepared and published in the official paper, a full and true statement, setting forth the amount of taxes and assessments levied or assessed under this act during the fiscal year, and the purpose for which the same were levied or assessed; the balance in the treasury at the commencement of the fiscal year, against which warrants have not been drawn, and to what funds belonging; the amounts collected on the annual tax roll or on any assessment roll during such year, and for what funds; the receipts from all other sources, in items, so far as practicable; also, the disbursements in items, and from what fund made, with the name of every person who shall have presented any claim against the city, which shall have been allowed by the common council, with the amount claimed and allowed; and the balance in the treasury at the end of the fiscal year against which warrants have not been drawn, and to what funds belonging; which statement shall be verified by the clerk of the city, as true and correct in every respect.

§ 15. Section nine of title ten is hereby amended so as to read as follows:

§ 9. The common council shall have power by ordinance to prescribe

limits in said city, within which wooden buildings shall not be erected or placed without the permission of the common council, which shall be given only by a vote of two-thirds of all the members elected thereto, and to extend such limits from time to time, and to direct that all or any buildings within the limits prescribed, shall be made or constructed of stone, brick or iron, with partition walls and fire proof roofs, under such penalties as may be prescribed by the common council, not exceeding one hundred dollars for any one offence, and the further sum of twenty-five dollars for each and every week, any building so prohibited shall be continued; and to prohibit the repairing or rebuilding of wooden buildings within the fire limits, when the same shall have been damaged by fire to the extent of fifty per cent of the value thereof, and to prescribe the manner of ascertaining such damage.

§ 16. Section ten of title 13 is hereby amended so as to read as follows:

The aggregate of all sums of money authorized to be raised by a special tax, pursuant to the provisions of this title, in any one year, shall not exceed five thousand dollars except for the repairs or rebuilding of the bridge over the Chenango river. The treasurer shall keep a separate account with all sums raised by any special tax, and the common council shall appropriate the same exclusively to the object or objects mentioned in the published statement.

§ 17. Section six of title fourteen of said act is hereby amended so as to read as follows.

The city of Binghamton shall not be liable to any person or corporation for the malfeasance, misfeasance or negligence of any officer or officers, agent, servant or employee, who may be elected, appointed or employed pursuant to any of the provisions of this act. But any such officer or officers may be compelled by mandamus to perform any or all of the duties prescribed for him or them by law, or the provisions of this act, and shall, together with any agent, servant or employee aforesaid, be deemed guilty of a misdemeanor, for any willful neglect or intentional violation of duty under this act; and in addition thereto be liable for all damages sustained by reason of such willful negligence or intentional violation of duty, and may be sued therefor by the aggrieved party. Every person elected or appointed to any office under this act, who shall be sued for any act done, or omitted to be done, in virtue of his office, and who shall have final judgment rendered in his favor, whereby he shall be entitled to costs, shall recover twice the amount of his taxed costs.

§ 18. Section twenty of title fourteen of said act is hereby amended so as to read as follows:

§ 20. It shall be the duty of the jailor of Broome county to receive and safely keep any person committed, with or without warrant, to the county jail, for any offence committed within the city, the expenses on account of which are chargeable to the city, and he shall be entitled in every such case to receive from the city the following, and no greater fees in the following cases: For every person committed to jail, twenty cents; for every person discharged from jail, twenty cents; and for every meal actually furnished, twenty-five cents. The expenses of apprehending, examining, trying and committing offenders against any law of the State, in said city, and of their confinement, properly chargeable against the county of Broome, shall be audited, allowed and paid by the supervisors of said county in the same manner as if such expense had been incurred in any town of said county of Broome.

Mr. Chapman moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Stanford	
Bradley	Folger	Humphrey	Nichols	Thayer	
Campbell	Genet	Kennedy	O'Donnell	Tweed	
Cauldwell	Graham	Mattoon	Parker	Van Petten	
Chapman	Hale	Morgan	Pierce	Williams	25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act authorizing any life insurance company, or any trust or loan company, to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State," with a message that they had passed the same, with the following amendments:

Line 3, section 1, engrossed bill, strike out the word "or;" same line, after the word "manager" insert "or finance committee."

The President put the question whether the Senate would agree to to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Morgan	Thayer	
Campbell	Genet	Humphrey	Morris	Tweed	
Cauldwell	Graham	Kennedy	Nichols	Van Petten	
Chapman	Hale	Mattoon	Stanford	Williams	20

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to extend Lexington avenue, in the city of New York," with a message that they had passed the same; with the following amendments:

Section 1, line 12, printed bill, strike out all of said section after the word "street."

Insert as sections two and three, the following:

§ 2. The square known or designated as Hamilton square, on the map or plan of said city, is hereby declared to be discontinued and closed, and the several streets now terminating at said square shall be extended through the same, and the said map or plan is hereby altered in accordance with the provisions of this act.

§ 3. The commissioners of the sinking fund, in said city, are hereby authorized and directed to sell or dispose of the property contained within the boundaries of said square, in such manner as is now or may hereafter be provided by law.

Change number of section 2 to section 4.

Amend the title so as to read as follows:

"An act to extend Lexington avenue and close Hamilton square, in the city of New York."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Hale	Mattoon	O'Donnell	Stanford
Cauldwell	Hubbard	Morgan	Parker	Tweed
Chapman	Humphrey	Morris	Pierce	Williams
Graham	Kennedy	Nichols		

18

## FOR THE NEGATIVE.

Folger	Thayer
--------	--------

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend chapter 510 of the Laws of 1867, and to change the title of the New York Homœopathic Medical College Hospital, in the city of New York," with a message that they had non-concurred in the amendment of the Senate thereto.

Mr. Parker moved that the Senate recede from its amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, the vote being as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer
Cauldwell	Hubbard	Morgan	Parker	Tweed
Chapman	Humphrey	Morris	Stanford	Williams
Edwards	Kennedy	Nichols		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have receded from its amendment.

Mr. Morgan offered the following resolution:

*Resolved*, That Assembly bill No. 17, entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe," be made the special order for Friday next, at 5 o'clock P. M.

Mr. Stanford moved to amend said resolution so as to include all bills upon the general orders providing for building bridges over the canals.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the bill entitled "An act for the laying out, opening and closing of streets, roads and avenues, in the town of Morrisania, in the county of Westchester," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the bill entitled "An act to establish a receiver of taxes in and for the town and village of Greenbush, county of Rensselaer, and to amend the several acts in relation to said town and village," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Folger offered the following preamble and resolution:

*Whereas*, The Junction canal is the only canal in the State connected with the State canals and not owned by the State, and would, if purchased by the State, complete the chain of State canals, and their connection with canals and other waters outside of the State; and whereas it is believed said canal can be purchased upon terms advantageous to the State, and its purchase be made the means of breaking up and for-

ever preventing extensive coal monopolies, and largely reducing the price of coal to the people of Middle and Western New York; therefore,

*Resolved*, That it be referred to the Canal Board to examine said canal, ascertain the terms and conditions upon which the same can be purchased, and report thereon to the next Legislature at the commencement of its session, with such recommendations as may seem to them proper, with their reasons therefor.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to provide for the appointment of an additional inspector and measurer of lumber in the city of Oswego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the bill entitled "An act to protect the State in its revenue and tolls," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the American Bureau of Mines," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Van Patten offered the following resolution:

*Resolved*, That the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the 'Military Code of the State of New York,'" be made the special order for Saturday morning, after reading of the journal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Nichols, on behalf of a majority of the select committee appointed to inquire and report what legislation is necessary for the better security of persons traveling upon railroads, reported by bill entitled "An act for the better protection of persons traveling on railroads," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Thayer, from the minority of said committee, reported by bill entitled "An act for the better protection of persons traveling on railroads," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Tweed moved that the Assembly bill entitled "An act for the relief of Charles Weiss," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Folger moved that the committee on commerce and navigation be instructed to report, forthwith, the Assembly bill entitled "An act to afford the same facilities to passengers or property transported by steamboat on the Hudson river, as is afforded by railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:



## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Crowley	Genet	Nicks	
Bradley	Creamer	Folger	Kennedy	Williams	10

## FOR THE NEGATIVE.

Campbell	Hale	Morris	Parker	Tw Weed	
Edwards	Mattoon	Nichols	Thayer	Van Petten	18
Graham	Morgan	O'Donnell			

Mr. Humphrey moved that the committee on commerce and navigation be discharged from the further consideration of said bill, and that the same be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nichols moved that the Assembly bill entitled "An act for the relief of David Kohler, Charles Kohler, John Strech, John Hughes and John Simson," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the bills entitled as follows:

Assembly, "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government."

"An act for the relief of Giles Shell and others, owners of land lying adjacent to Tonawanda creek."

"An act to provide for taxing corporations and joint stock associations, chartered or doing business under special or general laws."

After some time spent therein, the President resumed the chair, and Mr. Genet, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Genet, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Genet, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. O'Donnell moved that said bill be referred to the Attorney General, and that he be requested to inform the Senate if in his opinion the provisions of the bill are in conflict with the Constitution of the State, or of the Laws of the United States, and that he be requested to inform the Senate of any amendments that in his opinion will perfect the bill.

The President put the question whether the Senate would agree to said motion to refer, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Palmer	Stanford	
Campbell	Hale	Morgan	Parker	Thayer	
Edwards	Hubbard	Nichols	Pierce	Van Petten	
Folger	Kennedy	O'Donnell			18

## FOR THE NEGATIVE.

Banks	Cauldwell	Creamer	Murphy	Williams	
Bradley	Chapman	Genet	Tw Weed		9

Mr. Parker moved to take from the table the question agreeing to the report of the committee of the whole upon the Assembly bill entitled "An act to incorporate the Arcade Underground Railway Company, and

to provide for the construction of an Arcade Underground Railway in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	O'Donnell	Pierce	
Chapman	Graham	Morgan	Palmer	Stanford	
Creamer	Hale	Morris	Parker	Van Petten	
Edwards	Humphrey	Nichols			18

## FOR THE NEGATIVE.

Bradley	Folger	Thayer	Tweed	Williams	
Cauldwell					6

Mr. Creamer moved to recommit said bill to the committee on railroads, with instructions to amend the amendment made in committee of the whole, by inserting after the words "line of said railway" the words "between said City Hall park and Thirty-fourth street," and report the same forthwith to the Senate.

Mr. Bradley moved to amend the amendment by striking out "said City Hall park" and inserting "the Battery."

The President put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Pierce	Tweed	
Campbell	Folger	Murphy	Thayer	Williams	
Cauldwell	Genet	Palmer			13

## FOR THE NEGATIVE.

Banks	Creamer	Humphrey	Nichols	Stanford	
Beach	Graham	Mattoon	O'Donnell	Van Petten	
Chapman	Hale	Morgan	Parker		14

Mr. Tweed moved to amend the amendment by striking out "said City Hall park" and inserting "Wall street."

Pending the question, the hour of 7 o'clock having arrived, the Senate adjourned.

## THURSDAY, APRIL 23, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Reese.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the commissioners of the Central park to set apart a site for a Museum of History, Antiquities and Art."

"An act to incorporate the Fulton Savings Bank of the city of New York."

"An act to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town."

"An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867."

"An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas, for the city and county of New York."

"An act for the relief of Giles Shell and others, owners of lands lying adjacent to Tonawanda creek."

"An act to provide for the improvement and maintenance of the public parks of the city of Brooklyn."

"An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river, at Amsterdam, in the county of Montgomery.'"

"An act declaring the effect of judgments of the courts of countries foreign to the United States."

"An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867."

Pursuant to the 9th joint rule, the Senate proceeded to the third reading of bills.

The Assembly bill entitled "An act to incorporate the Chateaugay Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	Stanford
Beach	Crowley	Humphrey	Nichols	Tweed
Campbell	Edwards	Kennedy	Parker	Van Petten
Cauldwell	Folger	Morgan	Pierce	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morris	*Thayer
Beach	Creamer	Humphrey	Parker	Tweed
Bradley	Crowley	Kennedy	Pierce	Van Petten
Campbell	Edwards	Mattoon	Stanford	Williams
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act declaring the effect of judgments of the courts of countries foreign to the United States," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	O'Donnell	Tweed
Campbell	Folger	Humphrey	Parker	Van Petten
Cauldwell	Genet	Mattoon	Stanford	Williams
Creamer	Hale	Morgan	Thayer	

19

## FOR THE NEGATIVE.

Morris	Nichols			
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of Oxford Academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Beach	Crowley	Humphrey	O'Donnell	Thayer
Campbell	Edwards	Kennedy	Palmer	Van Petten
Cauldwell	Genet	Mattoon	Parker	Williams
Chapman	Hale	Morgan		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Fort Covington to raise money to build a bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	O'Donnell	Thayer
Beach	Edwards	Morgan	Parker	Tweed
Campbell	Folger	Morris	Pierce	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Chapman	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Naples Soldiers' Monument Association, and to raise money by tax to erect a monument," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Folger	Mattoon	Parker	Tweed
Cauldwell	Genet	Morgan	Pierce	Van Petten
Chapman	Graham	Morris	Stanford	Williams
Creamer	Hubbard	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," having been announced for a third reading,

On motion of Mr. Campbell and by unanimous consent, said bill was amended by striking out in section 1, line 1, the words: "It shall be the duty of."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nicks	Stanford
Campbell	Genet	Kennedy	Norton	Thayer
Cauldwell	Graham	Mattoon	Palmer	Tweed
Chapman	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nicols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck lake, in Cayuga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Stanford
Beach	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Nichols	Pierce	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Beach	Edwards	Humphrey	Morris	Stanford
Campbell	Genet	Kennedy	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
Chapman	Hale			

23

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the improvement and maintenance of the public parks of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce
Beach	Crowley	Humphrey	Nichols	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Thayer
Cauldwell	Folger	Mattoon	Parker	Van Petten
Chapman	Genet	Morgan		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Parker
Campbell	Crowley	Kennedy	Nichols	Pierce
Cauldwell	Edwards	Mattoon	Norton	Thayer
Chapman	Folger	Morgan	O'Donnell	Van Petten

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Thayer
Beach	Crowley	Mattoon	Parker	Tweed
Bradley	Edwards	Morgan	Pierce	Van Petten
Campbell	Hale	Morris	Stanford	Williams
Cauldwell	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Humphrey moved to take from the table the bill entitled "An act to incorporate the Fulton Savings Bank of the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Graham moved to recommit said bill to the committee on banks, with instructions to amend the same by fixing the location of said bank.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford	
Campbell	Genet	Kennedy	Norton	Thayer	
Chapman	Hale	Morgan	O'Donnell	Williams	
Crowley	Hubbard				17

## FOR THE NEGATIVE.

Cauldwell	Edwards	Mattoon	Pierce	Van Petten	
Creamer	Graham	Morris			8

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the Uptown Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Stanford	
Beach	Edwards	Humphrey	Morris	Thayer	
Campbell	Genet	Kennedy	Nichols	Van Petten	
Cauldwell	Graham	Mattoon	Norton		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the sale of the lands of the State of New York situated in the city of Newburgh, heretofore purchased for the purposes of a regimental armory at the city of Newburgh, and to provide for the construction of a regimental armory in the city of Newburgh upon other lands of the State of New York, and for the appropriation of the proceeds of such sale, with such other moneys as the supervisors of the county of Orange and the common council of the city of Newburgh may appropriate therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Kennedy	Nichols	
Beach	Crowley	Hale	Mattoon	Norton	
Bradley	Edwards	Hubbard	Morgan	Pierce	
Campbell	Genet	Humphrey	Morris	Van Petten	
Cauldwell					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Olean," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Genet	Humphrey	Morris	Pierce
Chapman	Graham	Kennedy	Nichols	Stanford
Creamer	Hale	Mattoon	Norton	Thayer
Crowley	Hubbard	Morgan	O'Donnell	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Murphy	Stanford
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Norton	Tweed
Chapman	Hale	Morgan	O'Donnell	Van Petten

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village,' passed March 25, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Mattoon	O'Donnell
Bradley	Edwards	Hubbard	Morgan	Thayer
Campbell	Folger	Humphrey	Morris	Tweed
Cauldwell	Genet	Kennedy	Nichols	Van Petten
Chapman	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas, for the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Norton
Beach	Folger	Humphrey	Morris	Parker
Campbell	Graham	Kennedy	Murphy	Tweed
Chapman	Hale	Mattoon	Nichols	Van Petten

20



## FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize George W. Snyder, Frederick Snyder and John P. Kimble to abandon a part of their Turnpike road, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Stanford
Beach	Hale	Mattoon	Norton	Thayer
Campbell	Hubbard	Morgan	O'Donnell	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for rebuilding the Eddyville bridge over the Rondout creek, in the county of Ulster, and declaring the same a free bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Graham	Kennedy	Nichols	Stanford
Campbell	Hale	Mattoon	Norton	Tweed
Cauldwell	Hubbard	Morgan	O'Donnell	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Norton	Stanford
Beach	Hale	Mattoon	Palmer	Thayer
Cauldwell	Hubbard	Morgan	Parker	Tweed
Creamer	Humphrey	Nichols	Pierce	Van Petten
Edwards				

21

## FOR THE NEGATIVE.

Folger

O'Donnell

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Giles Shell and others, owners of lands lying adjacent to Tonawanda creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

<b>Banks</b>	<b>Crowley</b>	<b>Graham</b>	<b>Mattoon</b>	<b>Pierce</b>
<b>Bradley</b>	<b>Edwards</b>	<b>Hale</b>	<b>Morgan</b>	<b>Thayer</b>
<b>Campbell</b>	<b>Folger</b>	<b>Hubbard</b>	<b>Nichols</b>	<b>Tweed</b>
<b>Cauldwell</b>	<b>Genet</b>	<b>Kennedy</b>	<b>Norton</b>	<b>Van Petten</b>
<b>Creamer</b>				

21

## FOR THE NEGATIVE.

<b>Parker</b>	<b>Stanford</b>	
---------------	-----------------	--

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for laying out and opening of a public highway in the town of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

<b>Banks</b>	<b>Creamer</b>	<b>Graham</b>	<b>Mattoon</b>	<b>Stanford</b>
<b>Beach</b>	<b>Edwards</b>	<b>Hale</b>	<b>Norton</b>	<b>Tweed</b>
<b>Bradley</b>	<b>Genet</b>	<b>Hubbard</b>	<b>Parker</b>	<b>Van Petten</b>
<b>Cauldwell</b>				

16

## FOR THE NEGATIVE.

<b>Campbell</b>	<b>Crowley</b>	<b>Humphrey</b>	<b>Morgan</b>	<b>O'Donnell</b>
<b>Chapman</b>	<b>Folger</b>	<b>Kennedy</b>	<b>Nichols</b>	

9

Mr. Graham moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

<b>Banks</b>	<b>Creamer</b>	<b>Hubbard</b>	<b>Norton</b>	<b>Pierce</b>
<b>Beach</b>	<b>Edwards</b>	<b>Mattoon</b>	<b>O'Donnell</b>	<b>Thayer</b>
<b>Bradley</b>	<b>Genet</b>	<b>Morris</b>	<b>Palmer</b>	<b>Tweed</b>
<b>Cauldwell</b>	<b>Hale</b>	<b>Nichols</b>	<b>Parker</b>	<b>Van Petten</b>

20

## FOR THE NEGATIVE.

<b>Campbell</b>	<b>Folger</b>	<b>Humphrey</b>	<b>Morgan</b>	
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4

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

<b>Banks</b>	<b>Creamer</b>	<b>Hale</b>	<b>Norton</b>	<b>Stanford</b>
<b>Beach</b>	<b>Edwards</b>	<b>Hubbard</b>	<b>Palmer</b>	<b>Thayer</b>
<b>Bradley</b>	<b>Genet</b>	<b>Kennedy</b>	<b>Parker</b>	<b>Tweed</b>
<b>Cauldwell</b>	<b>Graham</b>	<b>Mattoon</b>	<b>Pierce</b>	<b>Van Petten</b>

20

## FOR THE NEGATIVE.

<b>Campbell</b>	<b>Folger</b>	<b>Humphrey</b>	<b>Morgan</b>	<b>O'Donnell</b>
<b>Chapman</b>				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river at Amsterdam, in the county of Montgomery,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Norton	Stanford
Cauldwell	Hale	Mattoon	Palmer	Tweed
Edwards	Hubbard	Morgan	Parker	Williams 20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly sent for concurrence the bills entitled as follows:

"An act to make the office of supervisor of Erie county a salaried office, and to regulate the salaries of clerk and sergeant-at-arms of said board of supervisors of Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to regulate a road in the town of Palatine, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the city of Troy,' passed March 29, 1822," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The St. Francis Monastery' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the act entitled 'An act to authorize Edwin C. Bowen to establish and maintain a ferry across the Cayuga lake at Union Springs,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, said bill was referred to the committee on commerce and navigation, with power to report complete.

"An act to authorize the board of town officers to appoint an additional justice of the peace in the town of Albion, Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,' passed April 12, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to confer jurisdiction on the Canal Board to adjudicate the

claim of O. P. Root, on section 142, Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Henry Bradley and Thomas McGuire, jr.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate 'The Williamsburgh Sharp Shooters' Society,' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the county treasurer of Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate 'The New York Dramatic Union,' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of James L. Howard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of the Co-operative Iron Founders' Association of West Troy, and to provide for the exemption of shares of capital stock thereof from levy and sale by execution, or other legal process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Mutual Protection Hook, Ladder and Bucket Company No. 1,' of Hicksville, in the town of Oyster Bay,' Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act for the preservation of the public health, passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act relative to summary proceedings to recover the possession of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the proceedings of the trustees and assessors of the village of Albion, in reference to widening Canal street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Canal Commissioners to construct a bridge over the Chenango canal, in the village of Greene, Chenango county, and to change the location of the present bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

**Ordered,** That the Clerk return said bill of the village of West Troy, sage informing that the Senate have ~~cruse~~ use of John Duffy Steam Fire same, without amendment.

The bill entitled "An act to amend ~~the~~" which was read the first time, being an act to amend an act ~~entitled~~.

chase or construction and ~~the~~ State belonging to the State, in the town Mohawk river at Amsterdam ~~city~~, and to establish a public highway," a third time.

The President put ~~the~~ to the committee on roads and bridges. the final passage of ~~the~~ act entitled 'An act in relation to police commis- majority of all the ~~members~~ in the village of Cold Spring, Putnam county,' and three-fifths ~~of the members~~ which was read the first time, and by unani-

consent was also read the second time, and referred to the com- ~~mittee on municipal affairs.~~

Banks ~~the~~ to release the title of the people of the State of New York to Beach ~~the~~ county of Monroe, to Joanna Red- Cauldwell ~~the~~ in the town of Gates, and by unanimous consent was also Edward ~~the~~ certain lands in the town of Gates, and by unanimous consent was also

O. ~~the~~ which was read the first time, and referred to the committee on the judiciary. read the second time, and referred to the committee on the judiciary.

~~the~~ Patrick Buckley and Rhody Carey, caused by the water of Champlain canal, in the town of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the 'Bushwick Savings Bank,' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to empower Ulster Lodge No. 59, of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties, and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to lands in the city of Brooklyn, devised by John Thursby, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate 'The Mutual Savings Bank of Brooklyn,' passed April 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Rhinebeck Gas Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 250 of the Laws of 1863, entitled 'An act to incorporate Empire Hook and Ladder Company No. 1, of Upper Nyack,' passed April 29, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the organization and government of the police force of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Orthopædic Dispensary in the city of New York," which was read the first time, and by unanimous consent was

to read the second time, and referred to the committee on public and medical colleges.

to authorize the formation of independent hose companies in Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on fires.

to authorize the construction of an iron bridge with abutments and suitable approaches over the Erie canal, at Georgia street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to enable more fully to develop certain agricultural lands in the county of Albany," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on agriculture.

"An act supplementary to an act passed April 19th, 1867, to provide for re-building a bridge in the town of Lorraine, Jefferson county, and for raising money by tax for that purpose, upon the town of Lorraine, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to the fees of the clerk of the county of Kings,' passed May 12, 1865; passed March 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the certificate of incorporation of the New York Ophthalmic Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh-water fish,' passed May 13, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to fix the time and place of holding the annual town meetings in the town of Grand Island, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the examination of the accounts of the Treasurer and other State officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act for the correction of assessments and equalization of taxes,' being chapter 453 of the Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the construction of an iron bridge, with abutments and suitable approaches, over the Ohio canal, at Fulton street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the New Amsterdam Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the making of indices to the records of naturalization in the clerk's office of Oneida county," having been announced for a third reading,

On motion of Mr. Campbell and by unanimous consent, said bill was amended by striking out in section 1, line 1, the words: "It shall be the duty of."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Fölger	Humphrey	Nicks	Stanford
Campbell	Genet	Kennedy	Norton	Thayer
Cauldwell	Graham	Mattoon	Palmer	Tweed
Chapman	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act appointing William O. Wood, of Red Creek, Wayne county, William I. Dutcher and Henry Nicols, of the village of Westbury, in Wayne and Cayuga counties, commissioners to construct ditches, to increase and make available the water power of Duck lake, in Cayuga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Stanford
Beach	Edwards	Kennedy	O'Donnell	Thayer
Campbell	Genet	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morgan	Parker	Williams
Chapman	Hale	Nichols	Pierce	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Beach	Edwards	Humphrey	Morris	Stanford
Campbell	Genet	Kennedy	O'Donnell	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams
Chapman	Hale			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the improvement and maintenance of the public parks of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce
Beach	Crowley	Humphrey	Nichols	Stanford
Campbell	Edwards	Kennedy	O'Donnell	Thayer
Cauldwell	Folger	Mattoon	Parker	Van Petten
Chapman	Genet	Morgan		

28

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Parker
Campbell	Crowley	Kennedy	Nichols	Pierce
Cauldwell	Edwards	Mattoon	Norton	Thayer
Chapman	Folger	Morgan	O'Donnell	Van Petten

20

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Macedon,' passed April 18, 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Thayer
Beach	Crowley	Mattoon	Parker	Tweed
Bradley	Edwards	Morgan	Pierce	Van Petten
Campbell	Hale	Morris	Stanford	Williams
Cauldwell	Hubbard			

22

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Humphrey moved to take from the table the bill entitled "An act to incorporate the Fulton Savings Bank of the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Graham moved to recommit said bill to the committee on banks, with instructions to amend the same by fixing the location of said bank.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to



the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nichols	Stanford	
Campbell	Genet	Kennedy	Norton	Thayer	
Chapman	Hale	Morgan	O'Donnell	Williams	
Crowley	Hubbard				17

## FOR THE NEGATIVE.

Canldwell	Edwards	Mattoon	Pierce	Van Petten	8
Creamer	Graham	Morris			

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the Uptown Savings Bank, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Stanford	
Beach	Edwards	Humphrey	Morris	Thayer	
Campbell	Genet	Kennedy	Nichols	Van Petten	
Cauldwell	Graham	Mattoon	Norton		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the sale of the lands of the State of New York situated in the city of Newburgh, heretofore purchased for the purposes of a regimental armory at the city of Newburgh, and to provide for the construction of a regimental armory in the city of Newburgh upon other lands of the State of New York, and for the appropriation of the proceeds of such sale, with such other moneys as the supervisors of the county of Orange and the common council of the city of Newburgh may appropriate therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Kennedy	Nichols	
Beach	Crowley	Hale	Mattoon	Norton	
Bradley	Edwards	Hubbard	Morgan	Pierce	
Campbell	Genet	Humphrey	Morris	Van Petten	
Cauldwell					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Olean," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Genet	Humphrey	Morris	Pierce
Chapman	Graham	Kennedy	Nichols	Stanford
Creamer	Hale	Mattoon	Norton	Thayer
Crowley	Hubbard	Morgan	O'Donnell	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Murphy	Stanford
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Norton	Tweed
Chapman	Hale	Morgan	O'Donnell	Van Petten

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Peekskill, to alter the bounds, and to enlarge the powers of the corporation of said village,' passed March 25, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Mattoon	O'Donnell
Bradley	Edwards	Hubbard	Morgan	Thayer
Campbell	Folger	Humphrey	Morris	Tweed
Cauldwell	Genet	Kennedy	Nichols	Van Petten
Chapman	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the copying of certain records and papers in the office of the clerk of the court of common pleas, for the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morgan	Norton
Beach	Folger	Humphrey	Morris	Parker
Campbell	Graham	Kennedy	Murphy	Tweed
Chapman	Hale	Mattoon	Nichols	Van Petten

20

## FOR THE NEGATIVE.

O'Donnell

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize George W. Snyder, Frederick Snyder and John P. Kimble to abandon a part of their Tappan road, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nichols	Stanford
Beach	Hale	Mattoon	Norton	Thayer
Campbell	Hubbard	Morgan	O'Donnell	Tweed
Chapman	Humphrey	Morris	Parker	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for rebuilding the Eddyville bridge over the Rondout creek, in the county of Ulster, and declaring the same a free bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Beach	Graham	Kennedy	Nichols	Stanford
Campbell	Hale	Mattoon	Norton	Tweed
Cauldwell	Hubbard	Morgan	O'Donnell	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for additional compensation to deputies, clerks and assistants in the various departments of the State government," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Norton	Stanford
Beach	Hale	Mattoon	Palmer	Thayer
Cauldwell	Hubbard	Morgan	Parker	Tweed
Creamer	Humphrey	Nichols	Pierce	Van Petten
Edwards				

21

## FOR THE NEGATIVE.

Folger O'Donnell

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Giles Shell and others, owners of lands lying adjacent to Tonawanda creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Mattoon	Pierce
Bradley	Edwards	Hale	Morgan	Thayer
Campbell	Folger	Hubbard	Nichols	Tweed
Cauldwell	Genet	Kennedy	Norton	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Parker	Stanford
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2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for laying out and opening of a public highway in the town of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Mattoon	Stanford
Beach	Edwards	Hale	Norton	Tweed
Bradley	Genet	Hubbard	Parker	Van Petten
Cauldwell				

16

## FOR THE NEGATIVE.

Campbell	Crowley	Humphrey	Morgan	O'Donnell
Chapman	Folger	Kennedy	Nichols	

9

Mr. Graham moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Pierce
Beach	Edwards	Mattoon	O'Donnell	Thayer
Bradley	Genet	Morris	Palmer	Tweed
Cauldwell	Hale	Nichols	Parker	Van Petten

20

## FOR THE NEGATIVE.

Campbell	Folger	Humphrey	Morgan
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4

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Norton	Stanford
Beach	Edwards	Hubbard	Palmer	Thayer
Bradley	Genet	Kennedy	Parker	Tweed
Cauldwell	Graham	Mattoon	Pierce	Van Petten

20

## FOR THE NEGATIVE.

Campbell	Folger	Humphrey	Morgan	O'Donnell
Chapman				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river at Amsterdam, in the county of Montgomery,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Morris	Pierce
Beach	Graham	Kennedy	Norton	Stanford
Cauldwell	Hale	Mattoon	Palmer	Tweed
Edwards	Hubbard	Morgan	Parker	Williams

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly sent for concurrence the bills entitled as follows:

"An act to make the office of supervisor of Erie county a salaried office, and to regulate the salaries of clerk and sergeant-at-arms of said board of supervisors of Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to regulate a road in the town of Palatine, Montgomery county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the city of Troy,' passed March 29, 1822,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate 'The St. Francis Monastery' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend the act entitled 'An act to authorize Edwin C. Bowen to establish and maintain a ferry across the Cayuga lake at Union Springs,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, said bill was referred to the committee on commerce and navigation, with power to report complete.

"An act to authorize the board of town officers to appoint an additional justice of the peace in the town of Albion, Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,' passed April 12, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to confer jurisdiction on the Canal Board to adjudicate the

claim of O. P. Root, on section 142, Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Henry Bradley and Thomas McGuire, jr.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate 'The Williamsburgh Sharp Shooters' Society,' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the county treasurer of Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate 'The New York Dramatic Union,' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of James L. Howard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of the Co-operative Iron Founders' Association of West Troy, and to provide for the exemption of shares of capital stock thereof from levy and sale by execution, or other legal process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Mutual Protection Hook, Ladder and Bucket Company No. 1,' of Hicksville, in the town of Oyster Bay, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act for the preservation of the public health, passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act relative to summary proceedings to recover the possession of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the proceedings of the trustees and assessors of the village of Albion, in reference to widening Canal street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the Canal Commissioners to construct a bridge over the Chenango canal, in the village of Greene, Chenango county, and to change the location of the present bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to authorize the board of trustees of the village of West Troy, to purchase a lot and build a house for the use of John Duffy Steam Fire Company, and Tinney Hose Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to vest certain real estate belonging to the State, in the town of Marlborough, Ulster county, and to establish a public highway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act in relation to police commissioners and police officers in the village of Cold Spring, Putnam county,' passed March 21, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release the title of the people of the State of New York to certain lands in the town of Gates, county of Monroe, to Joanna Redman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by the water of Champlain canal, in the town of Fort Edward, Washington county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the 'Bushwick Savings Bank,' of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to empower Ulster Lodge No. 59, of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties, and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act relating to lands in the city of Brooklyn, devised by John Thursby, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate 'The Mutual Savings Bank of Brooklyn,' passed April 24, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Rhinebeck Gas Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 250 of the Laws of 1863, entitled 'An act to incorporate Empire Hook and Ladder Company No. 1, of Upper Nyack,' passed April 29, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the organization and government of the police force of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to incorporate the Orthopædic Dispensary in the city of New York," which was read the first time, and by unanimous consent was

was also read the second time, and referred to the committee on public health and medical colleges.

"An act to authorize the formation of independent hose companies in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the construction of an iron bridge with abutments and suitable approaches over the Erie canal, at Georgia street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to enable more fully to develop certain agricultural lands in the county of Albany," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on agriculture.

"An act supplementary to an act passed April 19th, 1867, to provide for re-building a bridge in the town of Lorraine, Jefferson county, and for raising money by tax for that purpose, upon the town of Lorraine, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to the fees of the clerk of the county of Kings,' passed May 12, 1865,' passed March 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend the certificate of incorporation of the New York Ophthalmic Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh-water fish,' passed May 18, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to fix the time and place of holding the annual town meetings in the town of Grand Island, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the examination of the accounts of the Treasurer and other State officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act for the correction of assessments and equalization of taxes,' being chapter 453 of the Laws of 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to authorize the construction of an iron bridge, with abutments and suitable approaches, over the Ohio canal, at Fulton street, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to incorporate the New Amsterdam Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.



"An act to provide for laying out permanent lines of streets, avenues and public places in the town of Flatbush, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the acts and proceedings of Daniel Hawks, as justice of the peace of the town of Andes, county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to compel the Sixth Avenue Railroad Company in the city of New York, to carry passengers upon its route without change of cars, and without delay or detention," which was read the first time, and by unanimous consent was also read the second time.

Mr. Norton moved to refer said bill to the committee of the whole.

Mr. Genet moved to refer to the committee on railroads.

The President put the question whether the Senate would agree to said motion of Mr. Genet, to refer to the committee on railroads, and it was decided in the affirmative.

"An act further to amend an act entitled 'An act to encourage and promote education in the village of Corning,' passed April 13, 1859," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Beach	Edwards	Humphrey	Nichols	Thayer
Campbell	Folger	Kennedy	O'Donnell	Tweed
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Hale	Morgan	Parker	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," with a message that they insist on the amendments made thereto by them, request a committee of conference thereon, and have appointed as such committee on the part of the Assembly, Messrs. Hartman, Irving, Keady, Pond and Brush.

Mr. Tweed moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. Tweed, Crowley and Creamer, were appointed as such committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate consent to a committee of conference.

The Assembly returned the bill entitled "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisement of patent medicines," with a message that they had passed the same, with the following amendments:

Section 1, line 16, engrossed bill, after the word "manufactured"

insert the words "and expose or draw with intent to sell or to have sold."

Section 2, line 3, after "or" insert "place."

Strike out section 3, and insert in lieu thereof the following:

§ 3. All magistrates are authorized, on due complaint, supported by oath or affirmation, to issue a warrant directed to the sheriff of the county, within which complaint shall be made, or to any constable, marshal or police officer within said county (provided nevertheless that nothing in this act contained shall be construed to affect, alter, diminish or extend, or in anywise interfere with the powers and authority of the board of Metropolitan police,) directing him, them or any of them to search for, seize and take possession of such obscene and indecent books, papers, articles and things; and said magistrate shall transmit, enclosed and under seal, specimens thereof to the district attorney of his county, and shall deposit within the county jail of his county, or such other secure place as to him shall seem meet, enclosed and under seal, the remainder thereof, and shall upon the conviction of the person or persons offending, under any of the provisions of this act, forthwith destroy or cause to be destroyed the remainder thereof, so seized as aforesaid, and shall cause to be entered upon the records of his court the fact of such destruction.

Mr. Genet moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Murphy	Pierce	
Beach	Creamer	Graham	Nichols	Tweed	
Bradley	Edwards	Morris	Norton		14

#### FOR THE NEGATIVE.

Campbell	Hale	Mattoon	Palmer	Thayer	
Chapman	Humphrey	Morgan	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

After debate,

Mr. Tweed moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order.

After some time spent therein, the hour of 1 o'clock having arrived, the President resumed the chair and declared the Senate in recess until 4 o'clock P. M.

#### FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order, pending at time of recess, being the bills entitled as follows:

Assembly, "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1868."

Assembly, "An act directing certain moneys raised by tax for the improvement of the Oneida Lake canal, under chapter 934 of the Laws of 1867, to be paid into the State treasury."

Assembly, "An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith."

Assembly, "An act to re-appropriate moneys for extraordinary repairs and improvements of the canals; for making maps of the canals under the direction of the Canal Board; for paying awards of the Canal Appraisers prior to 1866; for the payment of miscellaneous claims against the State; for the improvement of the Champlain canal; for the extension of the Chenango canal; for the improvement of the Genesee Valley canal, and for the improvement of the Black River canal; and to appropriate the unappropriated surplus of the tax of 1865."

Assembly, "An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the first day of October, 1868; and to provide for the payment of the debt contracted under section 10 of article 7 of the Constitution."

Assembly, "An act to authorize a tax of three-quarters of a mill per dollar of valuation, for the construction of new work upon and extraordinary repairs of the canals of this State."

After some time spent therein, the President resumed the chair, and Mr. Hale, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the second, third, fourth and fifth named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Hale, from the same committee, reported in favor of the passage of the last named bill, with amendment.

Mr. Banks renewed the amendment offered in committee of the whole by striking out on page 2, line 22, engrossed bill, the word "eighty-five" and inserting in lieu thereof the words "one hundred and twenty."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

*Ordered*, That said bill be read a third time.

Mr. Murphy, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the People's Safe Deposit Company of the State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act relating to lands in the city of Brooklyn devised by John Thursby, deceased," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to release to Margaret Sweeney certain lands in the Twelfth ward, Brooklyn," reported in favor of the passage of the same, with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred

the Assembly bill entitled "An act to regulate the fees of justices of the peace attending as justices of sessions at the criminal terms of the several courts of record within the county of Erie," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act releasing the title of the State of New York to certain lands situate in Caledonia, Livingston county, of which Thomas Jenkins died seized," reported in favor of the passage of the same.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of the Co-operative Iron Founders' Association of West Troy, and to provide for the exemption of shares of capital stock thereof from levy and sale by execution or other legal process," reported that they have made some amendments thereto, and amended the title by striking out all after the word "Troy," and as amended, recommend its passage.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relative to lands devised by Richard Ray, deceased," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act releasing the interest of the people of the State of New York, in certain real estate, to Matthias McMahon," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act releasing the interest of the people of the State of New York to certain lands and premises to Mary Wilson," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend the charter of the American Bureau of Mines," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the proceedings of Henry H. Hathaway, as justice of the peace of the town of Lenox, Madison county, in this State," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the acts of Byrce Paine, as justice of the peace for the town of Warren, county of Herkimer," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Board of Trade of the city of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to provide for the proving of certain maps and other papers of the 'Farmers' Trust and Loan Company,' in the county of Cattaraugus," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Fulton Benevolent Association of the city of New York," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to divide the county of Tompkins into two school commissioner districts, and for the election and appointment of a commissioner for the second district therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Thayer, from a majority of the committee on canals, to which was recommended the Assembly bill entitled "An act to incorporate the Waddington Canal and Waterworks Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Lewis County Savings Bank," reported that they have amended the title thereof so as to read "An act to incorporate the Lowville Savings Bank," and as amended, recommend its passage.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to change the corporate name of 'The Emigrant Savings Bank of Buffalo,' to 'The Mechanics' Savings Bank of Buffalo,'" reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was recommended

the Assembly bill entitled "An act to incorporate the 'Clyde Savings Bank,' at Clyde, Wayne county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the bill entitled "An act authorizing the trustees of school district No. 1, of the town of Athens, in the county of Greene, to build a new school-house," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the village of Watertown,' passed April 21, 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to incorporate the Young Men's Association of the village of Cooperstown," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend chapter 946 of the Laws of 1867, passed May 23, 1867," entitled 'An act to authorize the board of education of the Union School district No. 11, of the town of Whitehall, to borrow money to build a school-house in said district,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to establish the quorum of the local board of the Oswego Normal and Training School," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from a majority of the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate school districts Nos. 1 and 2 of the town of Pelham, county of Westchester," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate school districts 1, 4 and 5, and a part of school district No. 2, in the town of East Chester, in the county of Westchester, into one school district," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Chapman, from the committee on roads and bridges, to which was recommended the bill entitled "An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommended the Assembly bill entitled "An act to lay out, open, extend and work certain highways in the town of West Farms in the county of Westchester, known as Fairmount avenue, and Berrian avenue," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate, grade and macadamize the Westchester Turnpike and Boston Post Road, a highway from the village of West Farms to Byram River bridge, in the town of Rye," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to exonerate and discharge the town of Newburgh, and the commissioners of highways thereof from the further duty and obligation of repairing, supporting and maintaining certain bridges in the county of Orange," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to extend Flushing avenue, and to lay out, open and improve Flushing avenue and Newtown Turnpike road from Broadway to the city line, and to close and to extend other adjoining streets in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the town of Oazenovia, in the county of Madison, to raise money for repairing and building bridges," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Moresville Turnpike Company,' passed April 22, 1862," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act in relation to the collection of certain unpaid county taxes in the city of Rochester, in the county of Monroe," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate the Mutual Protection Hook, Ladder and Bucket Company No. 1, of Hicksville, in the town of Oyster Bay, Queens county," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 260 of the Laws of 1863, entitled 'An act to incorporate Empire Hook and Ladder Company No. 1, of Upper Nyack,' passed April 29, 1863," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to police commissioners and police officers in the village of Cold Spring, Putnam county,' passed March 21, 1866," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the formation of independent hose companies in the city of Oswego," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to incorporate Lafayette Fire Engine Company No 1, of South Rondout, in the town of Esopus, and county of Ulster," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the borrowing of money and the issue of town bonds by the board of town auditors of the town of Varick, in the county of Seneca," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act empowering the board of supervisors of Monroe county to require bail from the superintendent of the Monroe county penitentiary," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on agriculture, to which was recom-



mitted the Assembly bill entitled "An act to incorporate the Oswego Falls Agricultural Society," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend chapter 32 of the Laws of 1868, entitled 'An act to amend an act to authorize the villages of Sandy Hill and Fort Edward, in the county of Washington, to issue bonds to aid in the construction of a railroad from the village of Glen's Falls to intersect the Saratoga and Whitehall railroad, in the village of Fort Edward,' passed May 23, 1867; passed March 18, 1868," with power to report complete, reported the same complete.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Beach	Genet	Humphrey	Norton	Tweed
Campbell	Graham	Mattoon	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize certain towns in the counties of Livingston, to issue bonds and take stock in the Erie and Genesee Valley Railroad Company," reported in favor of the passage of the same.

On motion of Mr. Humphrey and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the construction of a railroad from the end of the Long Wharf, on the Hudson river, in the town of Fishkill, Dutchess county, to Matteawan, in said town," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Liverpool and Syracuse Railroad Company," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An

act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate 'The Fulton Benevolent Association of the city of New York,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print the report of the Regents of the University on the State Cabinet of Natural History, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,200 copies of the report of the Regents of the University on the State Cabinet of Natural History, be printed for the use of the Regents, 500 for the use of the Senate, and 300 for the Curator of the State Cabinet of Natural History.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to establish a receiver of taxes in and for the town and village of Greenbush, county of Rensselaer, and to amend the several acts in relation to said town and village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate 'The West Albany Mechanics' Relief Association of the city of Albany,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, into one municipal government, and to incorporate the same,' passed April 17th, 1854, and the acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Poughkeepsie," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to provide for the examination of the accounts and operations of the several commissioners in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Peekskill Waterworks Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1867, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof,' passed May 5, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to incorporate the Walworth Hose Association of the village of Saratoga Springs," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to provide floating baths in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the supervisor of the town of Westport, in the county of Essex, to convey certain lands to the Westport Cemetery Association," reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Odd Fellows' Hall Association of the city of Buffalo,' passed March 28, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Williams, from the committee on State prisons, to which was referred the Assembly bill entitled "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of the towns of Fort Edward and Hebron, in Washington county, and of Stephen Van Dresser, of Rome, Oneida county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee of the judiciary, to which was referred the petition of Belden Noble, for an act authorizing him to convey the interest of H. & B. Noble in certain lands, reported by bill entitled "An act for the relief of Belden Noble and the heirs of Harmon Noble, deceased," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Ira Peck and Robert Robinson and Sons," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge over the Black River canal in the village of Port Leyden, in the county of Lewis," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on medical colleges and societies, to which was referred the Assembly bill entitled "An act to incorporate the Orthopedic Dispensary in the city of New York," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to amend the act entitled 'An act to authorize Edwin C. Bowen to establish and maintain a ferry across the Cayuga lake at Union Springs,' passed April 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to amend the several acts relating to the Hudson River Bridge Company at Albany, and authorizing the construction of a bridge across the Hudson river at Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act for the more effectual protection of emigrants arriving at the port of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of their boats and their cargoes at Oswego," was recommitted to the committee on canals, with power to report complete.

By unanimous consent, Mr. Nichols asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly returned the bill entitled "An act to amend the charter of the city of Syracuse," with a message that they had passed the same, with the following amendment:

Page 11, engrossed bill, commencing with line 11, strike out all down to the word "in" in 18th line, engrossed bill.

Mr. Kennedy moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Pierce
Bradley	Graham	Morris	O'Donnell	Thayer
Campbell	Hubbard	Murphy	Palmer	Tweed
Cauldwell	Kennedy	Nichols	Parker	Van Petten
Edwards	Mattoon			

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" with a message that they had passed the same, with the following amendments:

Last line, section 2, engrossed bill, strike out after word "provided" the words "by the act hereby amended" and insert in lieu thereof the words "for the election of town officers."

Change section 3 to section 4, and insert as section 3, the following:

§ 3. The commissioners elected at the annual town meeting held April 7, 1868, shall be the commissioners of the town hall of the town of Jamaica, and the term of office of all other commissioners previously appointed or elected, is hereby declared to be terminated upon the passage of this act.

Mr. Edwards moved that the Senate non-concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Edwards moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act in aid of the con-

struction of the Newsboys' Lodging House of 'The Children's Aid Society' of the city of New York, and for the relief thereof," with a message that they had passed the same, with the following amendment:

Strike out all after the enacting clause, and insert the following:

Sec. 1. The board of excise constituted and created in and by the act entitled "An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York," passed April 14, 1866, shall, upon satisfactory proof being furnished to said board, within two years after the passage of this act, by the Children's Aid Society of the city of New York, that said society has raised and procured for the purpose of providing, erecting or purchasing a lodging house for friendless and homeless boys in the city of New York, the sum of thirty thousand dollars, pay to said society out of the license fees, penalties and fines received by said board of excise the sum of thirty thousand dollars, to be paid from the first moneys received by the said board after notice in writing served upon the treasurer of said board by said society, certifying that the said sum of thirty thousand dollars has been raised and procured by said society as and for the purpose mentioned in this act; and therefore shall be received, used and applied by said society in providing, erecting or purchasing such lodging house and for no other purpose; provided however that nothing herein contained shall be construed as diverting any part of any moneys directed to be paid to the State Inebriate Asylum.

§ 2. The real estate and personal property belonging to the said society, and used for the charitable purposes thereof, shall be exempt from taxation.

§ 3. This act shall take effect immediately.

Mr. Tweed moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Parker
Bradley	Edwards	Humphrey	Norton	Tweed
Campbell	Genet	Mattoon	O'Donnell	Van Petten
Cauldwell	Graham	Morgan	Palmer	Williams
Chapman	Hale	Morris		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The President presented the reply of the Commissioners of the Metropolitan Fire department in reply to resolution of Senate as to pay of members of said department, which was laid on the table and ordered printed.

(See Doc. No. 81.)

Mr. Hubbard moved that the committee on canals be discharged from the further consideration of the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Chenango canal in the village of Greene, Chenango county, and to change the location of the present bridge," and that the same be made the special order for tomorrow, with other canal bridge bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Tweed offered the following resolution:

*Resolved*, That the Assembly bill entitled "An act to afford the same

facilities to passengers or property transported by steamboat on the Hudson river as is afforded by railroad," be referred to the same committee of the whole having in charge the bill to amend the militia law.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 865 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal an act entitled 'An act to provide for the erection of a town hall in the town of Watervliet, in the county of Albany,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide ways and means for the support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to confirm and render valid the official and corporate acts of the Northwestern Dispensary in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act relative to immigrants and other passengers arriving at or departing from the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to repeal chapter 270 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 12th, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate Lafayette Fire Engine Company No. 1, of South Rondout, in the town of Esopus and county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to repeal section 3 of chapter 439 of the Laws of 1867, entitled 'An act to extend the charter and increase the capital stock of the 'Smithsboro and Nichols Bridge Company,' passed April 19th, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate 'The National Burglar Insurance Company' of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the acts and proceedings of Abraham Davis, as

justice of the peace of the town of Parish, county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Ballston Spa,' passed April 12, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend chapter 455 of the Laws of 1847, entitled 'An act to amend an act entitled 'An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the 'Ellsworth Social Club,' in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for taxing dogs, and for the collection of such tax, and to create a fund to pay for injuries upon sheep occasioned by dogs, in the county of Columbia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to protect the rights of passengers upon railways and other public conveyances," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the commissioners of highways of the town of Brighton, to acquire the right of way for such portions of the river road in said town, as have been wholly or partially destroyed, through any adjacent orchards or sites of fruit trees, by an assessment of damages to the owners, in the same manner as in other cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to change the corporate name of 'The First Congregational Society of Augusta and Gorham' to 'The First Congregational Church and Society of Rushville,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the board of supervisors of the county of Queens to build a court house and jail building for said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act for the improvement of the navigation of Big Chazy river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the corporation of the city of Albany to reduce the width of DeWitt street, between Perry and Robin street, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to the opening of certain streets in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.



"An act to authorize the formation of a railroad company and the construction of a railroad for public use, from the Utica and Black River railroad, by way of Forestport and Port Woodhull, to Bellingher Town, and branches," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing an appropriation to preserve the State bridge across the Sacandaga river, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act relative to the justices of the justices' court in and for the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize the town of Sheldon, county of Wyoming, to raise money to purchase the right of way through said town, for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, in said county, on or near the route already located for the Attica and Allegany Valley railroad."

Also as correctly re-engrossed:

"An act to amend section 8 of chapter 463 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies."

"An act approving lines and grades established under authority of chapter 697 of the Laws of 1867, and amending said chapter 697, entitled 'An act to alter the map or plan of certain portions of the city of New York, and for the laying out and improvement of the same.'"

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to amend an act entitled 'An act to authorize the towns of West Farms, Morrisania and Yonkers, to widen, make and extend a highway in said towns, to be known or called the Central road or avenue,' passed April 13, 1865."

"An act to authorize the board of supervisors of the county of Chautauqua, to levy an additional highway tax on the taxable property of the town of Charlotte, in said county, and to authorize the highway commissioners of said town, to borrow money to pay the existing indebtedness of said town, for highway and bridge purposes, and to repair the highways and bridges therein."

"An act to incorporate the New York State Board of Trustees, auxiliary to the National Board of Trustees or Board of Regents of the American Printing House and University for the Blind."

"An act relative to Horace L. Barnes, a justice of the peace in the county of Chenango, designated to hold courts of sessions in said county, at the general election held in November, 1867"

"An act to incorporate the Yonkers and Alpine Ferry Company."

"An act authorizing the Middletown, Unionville and Water Gap Railroad Company to use fifty pound iron rail."

"An act for the relief of Charlotte Dalton, widow."

"An act to amend an act entitled 'An act to incorporate the People's Savings Bank of the town of Yonkers, in the county of Westchester,' passed April 5, 1866."

"An act to amend an act entitled 'An act to authorize the city of Buffalo to borrow money and to subscribe to the capital stock of the Buffalo and Washington Railway Company,' passed April 4, 1868."

"An act releasing all the right, title and interest of the people of the State of New York to and in certain lands in the town of Bushwick, county of Kings, formerly lying in the East river."

"An act to incorporate the Cartman's Protective Union of the city and county of New York."

"An act to confirm certain resolutions of the common council of the city of Syracuse, passed March 30, 1868."

"An act to authorize the construction of a railroad in Avenue C, and other streets and avenues in the city of New York."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish,' passed May 13, 1867; passed January 24, 1867."

"An act to incorporate the Ocean Rock Division No. 30 of the Sons of Temperance, located at Louisville, St. Lawrence county."

"An act to release the interest of the State to certain lands of which William Watt died seized and possessed, to Mrs. Mary Watt, his widow."

"An act to incorporate the Board of Trade of the city of Troy."

"An act fixing the compensation of the coroners of the city and county of New York."

"An act to amend the charter of the American Tontine Life and Savings Insurance Company of the city of New York."

"An act to change the number of Accord Lodge No. 421, Independent Order Odd Fellows, incorporated under chapter 852, Laws of 1867, to Accord Lodge No. 160."

"An act for the relief of the city of Rochester."

"An act to authorize the construction and maintaining of a free bridge over the Susquehanna river at Afton, in Chenango county, and for the purchase of the franchise of the existing bridge company, and to borrow money therefor."

"An act to incorporate the Jerauld Institute of Niagara Falls, for the education of young ladies."

"An act to incorporate the Pullman Pacific Car Company."

"An act authorizing the common council of the city of Poughkeepsie to build sewers therein."

"An act changing the name of the Wolstenholme File Manufacturing Company to 'The Buffalo File Company.'"

"An act to provide for the incorporation of trustees for the management and care of certain funds now held for the Protestant Episcopal Church in the diocese of Western New York."

"An act to legalize and confirm certain proceedings of school meetings held in joint district No. 4, of the towns of York, Livingston county, and Pavilion, Genesee county, in designating a site for a school house in said district, in voting a tax to purchase such site, and also build a school house thereon, and of the trustee of said district in causing such taxes to be levied and collected."

"An act to release and convey to Isabella Jackson the interest of the people of the State of New York in certain real estate."

"An act to amend chapter 164 of the Laws of 1865, entitled 'An act to extend the time for the commencement and construction of the Grand Hotel Company of New York city,' passed March 22, 1865."

"An act to release the title and interest of the people of the State of New York in and to certain real estate to Thomas Jackson, Robert Vose and William Vose."

"An act to authorize the Canal Appraisers to appraise damages to the owners of property on the Skaneateles outlet."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to vest in the board of supervisors of the county of Washington, power, by a vote of the majority of said board, to change the location of the court houses, jails and clerk's office in said county, and to provide for the erection of a new court house, jail and clerk's office therein."

"An act to incorporate the Guardian Savings Institution of the city of New York."

"An act to authorize the Saratoga Gas Light Company to reduce its present stock, and then to increase the same, to enable said company to enlarge and change its works."

"An act appointing commissioners to investigate the cost and expenditures of building a bridge across the Sacandaga river at Northville, in the town of Northampton, and to provide for the payment of any balance thereof unpaid by said town of Northampton."

"An act relating to the care and custody of children committed to the house provided by the city of Rochester for the reception of idle and truant children."

"An act to release to John Woollard the estate, right, title and interest of the people of the State of New York of, in and to a certain piece of land situate in the city of Rochester, of which Ralph M. Crysler died seized."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bills entitled as follows:

"An act to amend section 8 of chapter 468 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies."

"An act to provide for the widening of West street, in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

"An act authorizing any life insurance company, or any trust or loan company to invest their funds in bonds issued by any county, town or village of this State, pursuant to any law of this State."

"An act to provide for an iron bridge over the artificial outlet of the Seneca lake."

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Murphy moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Taylor	
Beach	Folger	Kennedy	Palmer	Tweed	
Campbell	Genet	Murphy	Parker	Van Patten	15

#### FOR THE NEGATIVE.

Bradley	Edwards	Hubbard	Morgan	Norton	
Cauldwell	Hale	Mattoon	Morris	O'Donnell	
Creamer					

Whereupon the Senate adjourned.

• FRIDAY, APRIL 24, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith."

"An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego."

"An act for the relief of 'St. Joseph's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes."

Also as correctly re-engrossed:

"An act to extend Lexington avenue and close Hamilton square, in the city of New York."

"An act in aid of the construction of the Newsboys' Lodging House of 'The Children's Aid Society' of the city of New York, and for the relief thereof."

Pursuant to the 9th joint rule, the Senate proceeded to the third reading of bills.

The Assembly bill entitled "An act to incorporate the Young Men's Association of the village of Cooperstown," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Morris	Thayer
Beach	Genet	Mattoon	O'Donnell	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hubbard			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to establish the quorum of the Local Board of the Oswego Normal and Training School," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Palmer.	Tweed
Beach	Graham	Mattoon	Parker	Van Petten
Campbell	Hale	Morgan	Pierce	Williams
Cauldwell	Hubbard	O'Donnell	Thayer	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'Clyde Savings Bank,' at Clyde, Wayne county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Palmer	Tweed
Beach	Folger	Kennedy	Parker	Van Petten
Campbell	Graham	Mattoon	Pierce	Williams
Cauldwell	Hale	Morgan		18

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Oswego Falls Agricultural Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Pierce
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Palmer	Tweed
Crowley	Hale	Morgan	Parker	Van Petten

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Citizens' Mutual Gas Light Company of Poughkeepsie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Morris	Pierce
Bradley	Genet	Kennedy	Nichols	Thayer
Campbell	Graham	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morgan	Parker	Van Petten
Crowley	Hubbard			23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The West Albany Mechanics' Relief Association,' of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morgan	Stanford
Beach	Edwards	Hubbard	Morris	Thayer
Bradley	Genet	Kennedy	Parker	Van Petten
Campbell	Graham	Mattoon	Pierce	Williams

*Ordered,* That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same with amendments.

The Assembly bill entitled "An act to incorporate the Fulton Benevolent Association of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Tweed
Beach	Hale	Morgan	Parker	Van Petten
Bradley	Hubbard	Morris	Pierce	Williams
Cauldwell	Kennedy	Murphy	Thayer	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the village of Watertown,' passed April 21, 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Thayer
Beach	Edwards	Mattoon	O'Donnell	Tweed
Bradley	Hale	Morgan	Parker	Van Petten
Campbell	Hubbard	Morris	Pierce	Williams
Cauldwell				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend Flushing avenue, and to lay out, open and improve Flushing Avenue and Newtown Turnpike road from Broadway to the city line, and to close and extend other adjoining streets in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nichols	Stanford
Beach	Graham	Morgan	O'Donnell	Thayer
Bradley	Hubbard	Morris	Palmer	Van Petten
Cauldwell	Kennedy	Murphy	Pierce	Williams
Edwards				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Cazenovia, in the county of Madison, to raise money for repairing and building bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Thayer
Beach	Genet	Mattoon	Palmer	Tweed
Bradley	Graham	Morgan	Parker	Van Patten
Cauldwell	Hale	Morris	Pierce	Williams
Crowley	Hubbard			

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to establish and maintain a free bridge between Sag Harbor and North Haven, in the town of Southampton, Suffolk county, and to make such bridge a county charge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Nichols	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Genet	Morgan	Parker	Tweed
Campbell	Hubbard	Morris	Pierce	Williams

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Moresville Turnpike Company,' passed April 22, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Beach	Genet	Mattoon	Palmer	Tweed
Bradley	Graham	Morgan	Parker	Van Patten
Campbell	Hale	Morris	Pierce	Williams
Cauldwell				

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the support and relief of the poor, and for the government of the poor department in the county of Erie,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Genet	Morgan	Parker	Tweed
Campbell	Hale	Morris	Pierce	Van Patten
Cauldwell	Hubbard			

2

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the collection of certain unpaid taxes in the city of Rochester, in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE

Banks	Crowley	Hubbard	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Pierce
Bradley	Genet	Mattoon	O'Donnell	Van Petten
Campbell	Hale	Morgan	Palmer	Williams
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the trustees of incorporated rural cemeteries to impose a tax upon the lot owners in said cemeteries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Nichols	Pierce
Beach	Edwards	Mattoon	O'Donnell	Stanford
Bradley	Graham	Morgan	Palmer	Tweed
Campbell	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1868," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Thayer
Bradley	Graham	Mattoon	Palmer	Tweed
Campbell	Hale	Morgan	Parker	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act directing certain moneys raised by tax for the improvement of the Oneida Lake canal, under chapter 934 of the Laws of 1867, to be paid into the State treasury," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beaks	Creamer	Graham	Morgan	Stanford
Beach	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Kennedy	Norton	Van Petten
Campbell	Genet	Mattoon	Palmer	Williams

3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Norton	Thayer
Bradley	Hubbard	Morris	Palmer	Van Petten
Campbell	Kennedy	Murphy	Pierce	Williams
Chapman	Mattoon	Nichols		

8

## FOR THE NEGATIVE.

Banks	Cauldwell	Edwards	Tweed
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4

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to re-appropriate moneys for extraordinary repairs and improvements of the canals; for making maps of the canals under the directions of the Canal Board; for paying awards of the Canal Appraisers prior to 1866; for the payment of miscellaneous claims against the State; for the improvement of the Champlain canal; for the extension of the Chenango canal; for the improvement of the Genesee Valley canal, and for the improvement of the Black River canal; and to appropriate the unappropriated surplus of the tax of 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Nichols	Thayer
Bradley	Creamer	Kennedy	Nicks	Tweed
Campbell	Crowley	Mattoon	Stanford	Williams
Cauldwell	Edwards	Morris		

11

## FOR THE NEGATIVE.

Folger	O'Donnell
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3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt, commencing on the first day of October, 1868; and to provide for the payment of the

debt contracted under section 10 of article 7 of the Constitution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Murphy	Stanford
Beach	Crowley	Hubbard	Nichols	Tweed
Bradley	Folger	Kennedy	Nicks	Van Petten
Campbell	Genet	Mattoon	Norton	Williams
Cauldwell	Graham	Morris	Pierce	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize a tax of three-quarters of a mill per dollar of valuation, for construction of new work upon and extraordinary repairs of the canals of this State," having been announced for a third reading,

On motion of Mr. Stanford and by unanimous consent, said bill was amended as follows:

Insert as section 4, the following:

§ 4. No more money shall be expended on the works hereinbefore enumerated than is above appropriated, and it shall not be lawful for the officers having in charge the execution of the said works to make any contracts whereby any expenditure in excess of the appropriation will be incurred, or any further appropriation for the same rendered necessary.

Change section 5 to section 6, and section 6 to section 7.

Mr. O'Donnell moved to recommit said bill to the committee, with instructions to strike out the second section thereof.

The President put the question whether the Senate would agree to said motion and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Murphy	O'Donnell	Parker	4
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## FOR THE NEGATIVE.

Banks	Crowley	Hale	Mattoon	Norton
Bradley	Edwards	Hubbard	Morris	Stanford
Cauldwell	Folger	Humphrey	Nichols	Thayer
Chapman	Genet	Kennedy	Nicks	Tweed
Creamer				21

Mr. Van Petten moved to recommit said bill to the committee, with instructions to insert the following amendment:

"For building a public highway bridge over the Erie canal in the village of Ilion, in the county of Herkimer, three thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Campbell	Folger	Parker	Van Petten
Beach	Edwards	O'Donnell	Stanford	Williams
				10

## FOR THE NEGATIVE.

Bradley	Crowley	Humphrey	Murphy	Norton
Cauldwell	Genet	Kennedy	Nichols	Pierce

Chapman	Hale	Mattoon	Nicks	Tweed	
Creamer	Hubbard	Morris			18

Mr. Beach moved to recommit said bill to the committee on canals, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Folger	Genet	O'Donnell	5
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## FOR THE NEGATIVE.

Banks	Chapman	Humphrey	Murphy	Stanford	
Bradley	Creamer	Kennedy	Nichols	Thayer	
Campbell	Hale	Mattoon	Nicks	Tweed	
Cauldwell	Hubbard	Morris	Norton	Williams	20

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer	
Bradley	Edwards	Humphrey	Nicks	Tweed	
Campbell	Genet	Kennedy	Norton	Van Petton	
Cauldwell	Graham	Mattoon	Pierce	Williams	
Chapman	Hale	Morris	Stanford		14

## FOR THE NEGATIVE.

Beach	Folger	Murphy	O'Donnell	Parker	6
Crowley					

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act releasing the interest of the people of the State of New York in certain real estate, to Matthias McMahon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Stanford	
Bradley	Crowley	Hubbard	Nicks	Thayer	
Campbell	Edwards	Humphrey	O'Donnell	Tweed	
Cauldwell	Folger	Kennedy	Parker	Van Petton	
Chapman	Genet	Morris	Pierce		21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'People's Safe Deposit Company of the State of New York,'" having been announced for a third reading.

Mr. Murphy moved to recommit said bill to the committee on the judiciary, to retain its place in general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act relative to lands devised by Richard Ray, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Pierce
Beach	Creamer	Graham	Nichols	Stanford
Bradley	Crowley	Hale	Nicks	Thayer
Campbell	Edwards	Hubbard	Norton	Van Petten
Cauldwell	Folger	Humphrey	Palmer	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act releasing the interest of the people of the State of New York to certain lands and premises to Mary Wilson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Stanford
Beach	Creamer	Graham	Nichols	Thayer
Bradley	Crowley	Hale	Norton	Tweed
Campbell	Edwards	Humphrey	Parker	Van Petten
Cauldwell	Folger	Kennedy	Pierce	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the American Bureau of Mines," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nicks	Pierce
Bradley	Edwards	Humphrey	Norton	Thayer
Campbell	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Graham	Morris	Parker	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the proceedings of Henry H. Hathaway, as justice of the peace of the town of Lenox, Madison county, in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Graham	Mattoon	Palmer	Thayer
Campbell	Hale	Morris	Parker	Van Petten

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the acts of Byron Paine, as justice of the peace of the town of Warren, county of Herkimer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Parker
Beach	Edwards	Humphrey	Nicks	Pierce
Bradley	Folger	Mattoon	Norton	Thayer
Campbell	Graham	Morris	O'Donnell	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Waddington Canal and Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Palmer
Beach	Edwards	Humphrey	Nicks	Parker
Campbell	Genet	Kennedy	O'Donnell	Thayer
Cauldwell	Graham	Mattoon		

22

FOR THE NEGATIVE.

Bradley	Crowley	Morris	Norton	Stanford
Chapman	Folger	Nichols	Pierce	

9

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Board of Trade of the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Parker
Beach	Genet	Mattoon	Norton	Pierce
Bradley	Graham	Morgan	O'Donnell	Stanford
Cauldwell	Hale	Morris	Palmer	Thayer
Edwards	Humphrey			

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the proving of certain maps and other papers of the 'Farmers' Trust and Loan Company,' in the county of Cattaraugus," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Beach	Folger	Mattoon	Norton	Stanford
Bradley	Genet	Morgan	O'Donnell	Thayer
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Folger	Palmer	Thayer
Beach	Creamer	Kennedy	Parker	Tweed
Campbell	Crowley	Mattoon	Pierce	Van Petten
Cauldwell	Edwards	Nichols	Stanford	

19

## FOR THE NEGATIVE.

Morris

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to divide the county of Tompkins into two school commissioner districts, and for the election and appointment of a commissioner for the second district therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Palmer
Beach	Edwards	Mattoon	Nicks	Pierce
Bradley	Graham	Morgan	Norton	Stanford
Campbell	Hubbard	Morris	O'Donnell	Van Petten
Cauldwell	Humphrey			

22

## FOR THE NEGATIVE.

Folger

Hale

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 946 of the Laws of 1867, passed May 23, 1867, entitled 'An act to authorize the board of education of the union school district No. 11, of the town of Whitehall, to borrow money to build a school house in said district,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Parker
Bradley	Crowley	Humphrey	Norton	Pierce
Campbell	Edwards	Kennedy	O'Donnell	Stanford
Cauldwell	Graham	Mattoon	Palmer	Thayer
Chapman	Hale	Nichols		

3

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to lay out, open, extend and work certain highways in the town of West Farms, in the county of Westchester, known as Fairmount avenue, and Berrian avenue," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Bradley	Crowley	Humphrey	Nichols	Pierce
Campbell	Edwards	Kennedy	Nicks	Thayer
Cauldwell	Graham	Mattoon	O'Donnell	Van Petten
Chapman	Hale	Morgan		

23

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Creamer moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Morris	Nichols	Thayer
Cauldwell	Hale	Murphy	Stanford	Tweed
Creamer	Hubbard			

12

## FOR THE NEGATIVE.

Campbell	Folger	Mattoon	Norton	Parker
Chapman	Humphrey	Morgan	O'Donnell	Van Petten
Edwards	Kennedy	Nicks	Palmer	Williams

15

The Assembly bill entitled "An act to regulate, grade and macadamize the Westchester Turnpike and Boston Post Road, a highway from the village of West Farms to Byram river bridge, in the town of Rye," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Palmer
Bradley	Genet	Kennedy	Nichols	Pierce
Campbell	Graham	Mattoon	Norton	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Van Petten
Chapman	Hubbard			

23

## FOR THE NEGATIVE.

Parker

1

*Ordered,* That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Mattoon moved to lay the present order of business upon the table, for the purpose of receiving reports of committees.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Thayer
Beach	Crowley	Hale	Morris	Tweed
Bradley	Edwards	Hubbard	Norton	Van Petten
Cauldwell	Folger	Mattoon	Stanford	19

## FOR THE NEGATIVE.

Campbell	Kennedy	Nicks	Palmer	Pierce
Chapman	Murphy	O'Donnell	Parker	Williams
Humphrey	Nichols			12

The Assembly bill entitled "An act to exonerate and discharge the town of Newburgh and the commissioners of highways thereof from the further duty and obligation of repairing, supporting and maintaining certain bridges in the county of Orange," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Parker
Beach	Graham	Kennedy	Nicks	Pierce
Campbell	Hale	Mattoon	O'Donnell	Stanford
Cauldwell	Hubbard	Morris	Palmer	Van Petten
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of 'St. Joseph's Church, in the city of New York,' to amend the act incorporating the same, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Norton	Pierce
Bradley	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Palmer	Tweed
Edwards	Humphrey	Nichols	Parker	Van Petten
Genet	Kennedy			21

## FOR THE NEGATIVE.

Folger	1
--------	---

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Oswego, and in the town of Scriba, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:



## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nicks	Thayer
Beach	Edwards	Morgan	Palmer	Tweed
Bradley	Hubbard	Morris	Parker	Van Petten
Cauldwell	Kennedy	Nichols	Pierce	

11

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the examination of the accounts and operations of the several commissions in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nichols	Parker
Bradley	Hale	Morgan	Nicks	Pierce
Campbell	Hubbard	Morris	Norton	Thayer
Cauldwell	Kennedy	Murphy	Palmer	Van Petten
Edwards				

12

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to limit and define the powers and privileges of the Eureka Basin Warehouse and Manufacturing Company of Long Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Norton	Stanford
Beach	Folger	Mattoon	O'Donnell	Thayer
Bradley	Genet	Morris	Palmer	Tweed
Campbell	Hale	Nichols	Parker	Van Petten
Cauldwell	Hubbard	Nicks		

13

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The hour of one o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly bill entitled "An act to incorporate the Peekskill Waterworks Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Morgan	Nichols	Stanford
Cauldwell	Hubbard	Morris	O'Donnell	Thayer
Edwards	Kennedy	Murphy	Parker	Tweed
Folger	Mattoon			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Walworth Hose Association of the village of Saratoga Springs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Morris	Stanford	
Cauldwell	Hale	Mattoon	Nichols	Thayer	
Chapman	Hubbard	Morgan	O'Donnell	Tweed	
Edwards	Humphrey				17

## FOR THE NEGATIVE.

Folger	Parker	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Odd Fellows' Hall Association of the city of Buffalo,' passed March 28, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Nichols	Stanford	
Cauldwell	Hale	Mattoon	O'Donnell	Thayer	
Chapman	Hubbard	Morgan	Parker	Tweed	
Edwards	Humphrey	Morris	Pierce		19

## FOR THE NEGATIVE.

Folger	1
--------	---

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1867, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof,' passed May 5, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Humphrey	Morris	Parker	
Cauldwell	Graham	Kennedy	Nichols	Stanford	
Chapman	Hale	Mattoon	Nicks	Thayer	
Edwards	Hubbard	Morgan	O'Donnell	Tweed	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The Assembly bill entitled "An act to provide floating baths in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	Murphy	Pierce
Cauldwell	Hale	Mattoon	Nichols	Stanford
Crowley	Hubbard	Morgan	Nicks	Tweed
Edwards	Humphrey	Morris	Parker	

19

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to draining certain lands in the town of Fishkill, in the county of Dutchess," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer
Edwards	Hubbard	Morgan	Parker	Tweed
Folger	Humphrey	Morris	Pierce	Van Petten
Graham	Kennedy	Nicks	Stanford	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act entitled 'An act to authorize Edwin C. Bowen to establish and maintain a ferry across the Cayuga lake at Union Springs,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Campbell	Folger	Kennedy	Parker	Tweed
Cauldwell	Graham	Mattoon	Pierce	Van Petten
Chapman	Hale	Morgan	Stanford	Williams
Creamer	Hubbard	Morris		

3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the city of Poughkeepsie to the Connecticut or Massachusetts line, and to authorize towns to subscribe to the capital stock thereof,' passed April 13, 1866, and to ratify proceedings heretofore had under said act," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Morris	Pierce	Van Petten
Creamer	Hubbard	Nichols		

18

## FOR THE NEGATIVE.

Crowley	Folger	O'Donnell	Williams	4
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the several acts relating to the Hudson River Bridge Company at Albany, and authorizing the construction of a bridge across the Hudson river at Albany," having been announced for a third reading.

On motion of Mr. Thayer and by unanimous consent, said bill was amended by adding as follows:

After word "Albany" in the 4th line of section 3, insert "or the common council of the city of Troy;" after word "Albany" in the 11th line of section 3, insert "or in favor of the mayor, aldermen and commonalty of the city of Troy, as the case may be."

At the end of section 3 insert:

"But before commencing the erection of the bridge authorized by this act, the Hudson River Bridge Company, the New York Central Railroad Company, the Hudson River Railroad Company, and the Boston and Albany Railroad Company, stockholders in the said Hudson River Bridge Company, shall jointly and severally execute and deliver a bond to the mayor, aldermen and commonalty of the city of Troy, and the mayor, aldermen and commonalty of the city of Albany, as obligees therein, either of the said obligees to prosecute the same in case of breach, in the penalty of at least six hundred thousand dollars, conditioned for the removal of the present bridge and the piers thereof from the foundation of the same so as to completely restore the navigation of the river at that point within nine months after the use of or the crossing of the first train of cars over the bridge authorized to be built under this act, which bond shall be subject to the approval (as to its form and manner of execution,) of the Attorney General of the State."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Stanford
Beach	Edwards	Humphrey	Nichols	Thayer
Bradley	Folger	Kennedy	Nicks	Tweed
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman	Hale	Morgan	Pierce	Williams
Creamer				

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Chapman and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Safe Deposit

Company of Binghamton," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Tweed, from the committee of conference on the matters in difference between the Senate and Assembly on the Senate bill entitled "An act to provide for the appointment of an additional number of notaries public in the city and county of New York," submitted the following report:

We recommend that the Senate concur in the Assembly amendment to section 1, striking out the word "one" and inserting in lieu thereof "two," and also striking out the words "and fifty."

Also, that the Assembly recede from their amendment adding at the end of said first section the words: "and two additional to each county in the State." and that the Senate and Assembly concur in substituting therefor the following: "and five additional for each Assembly district in the State;" and amending the title of said bill by striking out the words "in the city and county of New York," and inserting in lieu thereof the words "in the State of New York."

All of which is respectfully submitted.

THOS. J. CREAMER,

WM. M. TWEED,

RICHARD CROWLEY,

*Senate Committee.*

ANTHONY HARTMAN,

P. KEADY,

AUG. A. BRUSH,

JAS. IRVING,

*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Nicks	Thayer
Beach	Edwards	Kennedy	O'Donnell	Tweed
Bradley	Graham	Mattoon	Pierce	Van Petten
Chapman	Hubbard	Morris	Stanford	Williams
Creamer				

21

FOR THE NEGATIVE.

Folger	Hale	Morgan	Parker
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4

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Graham presented a petition for an appropriation for St. Patrick's school, Newburgh, which was read and referred to the committee on finance.

Mr. Thayer presented a remonstrance of citizens of the village of Greenwich, Washington county, against amending charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Graham presented a remonstrance of citizens of Newburgh, against amendments of charter, which was read and referred to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Henry Bradley and Thos. McGuire, jr.," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the bill entitled "An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the formation of a railroad company and the construction of a railroad for public use, from the Utica and Black River railroad, by way of Forest Port and Port Woodhull, to Bellinger town, and branches," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act confirming the acts of the people of the towns of Ellicottville, Machias and Great Valley, in the county of Cattaraugus, and authorizing the said several towns to subscribe to the capital stock of the Cattaraugus Railway Company," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act in relation to the Liverpool and Syracuse Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to authorize certain towns in the county of Livingston, to issue bonds and take stock in the Erie and Genesee Valley Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommended the Assembly bill entitled "An act authorizing the construction of a railroad from the end of the Long Wharf, on the Hudson river, in the town of Fishkill, Dutchess county, to Matteawan, in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommended the bill entitled "An act to incorporate the Port Richmond and Bergen Point Ferry Company, and to repeal chapter 806 of the Laws of 1848, and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Commercial Warehouse Company of Albany," reported in favor of passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to

which was recommitted the Assembly bill entitled "An act for the more effectual protection of emigrants arriving at the port of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the committee on canals, to which was recommitted the bill entitled "An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of boats and their cargoes at Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Mattoon, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge over the Chenango canal, in the village of Hamilton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Genet, from the committee on public health and medical societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Orthopædic Dispensary in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Genet, from the committee on public health and medical societies, to which was referred the Assembly bill entitled "An act to amend an act for the preservation of the public health," passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Genet, from the committee on public health and medical societies, to which was referred the Assembly bill entitled "An act to amend the certificate of incorporation of the New York Ophthalmic Hospital," reported in favor of the passage of the same.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to fix the time and place of holding the annual town meetings in the town of Grand Island, in the county of Erie," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend chapter 455 of the Laws of 1847, entitled 'An act to amend an act entitled 'An act to reduce the number of town officers, and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the county treasurer of Rensselaer county," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Van Petten, from the committee on internal affairs of towns and

counties, to which was referred the Assembly bill entitled "An act to provide for taxing dogs and for the collection of such tax, and to create a fund to pay for injuries upon sheep occasioned by dogs in the county of Columbia," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the 'Mutual Protection Hook, Ladder and Bucket Company No. 1,' of Hicksville, in the town of Oyster Bay, Queens county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate Lafayette Fire Engine Company No 1, of South Rondout, in the town of Esopus, and county of Ulster," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to police commissioners and police officers in the village of Cold Spring, Putnam county,' passed March 21, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the formation of independent hose companies in the city of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the borrowing of money and the issue of town bonds by the board of town auditors of the town of Varick, in the county of Seneca," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to amend chapter 250 of the Laws of 1863, entitled 'An act to incorporate Empire Hook and Ladder Company No. 1, of Upper Nyack,' passed April 29, 1863," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act empowering the board of supervisors of Monroe county to require bail from the superintendent of the Monroe county penitentiary," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school therein,' passed April 12, 1867," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.



Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852; passed March 7, 1865," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the widening of the Coney Island plankroad, in the county of Kings, and for the subsequent management thereof," reported in favor of the passage of the same, with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate a road in the town of Palatine, Montgomery county," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Hale moved that the committee on claims be discharged from the further consideration of the Assembly bill entitled "An act for the relief of James L. Howard," and that the same be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend chapter 554 of the Laws of 1865, entitled 'An act to establish a Capital Police district and to provide for the government thereof,'" reported in favor of the passage of the same, with amendments.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Palatine Bridge," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Port Chester," reported in favor of the passage of the same, with amendments.

On motion of Mr. Cauldwell and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to consolidate, reenact and amend the charter of the village of Yonkers, in the county of Westchester, passed April 12, 1855, and the several acts amending the same, and to extend the powers of the corporation," reported in favor of the passage of the same with amendments.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the Croton Aqueduct department in the city of New York,' passed April 8, 1867," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer requested his dissent from said report to be entered upon the journal.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to release to Margaret Sweeney certain lands in the Twelfth ward, Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act for the relief of the Co-operative Iron Founders' Association of West Troy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to regulate the fees of justices of the peace attending as justices of sessions at the criminal terms of the several courts of record within the county of Erie," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act releasing the title of the State of New York to certain lands situate in Caledonia, Livingston county, of which Thomas Jenkins died seized," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relating to lands in the city of Brooklyn, devised by John Thursby, deceased," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommended the Assembly bill entitled "An act to authorize the supervisor of the town of Westport, in the county of Essex, to

convey certain lands to the Westport Cemetery Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the corporate name of 'The First Congregational Society of Augusta and Gorham,' to 'The First Congregational Church and Society of Rushville,' Yates county," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Graham, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to change the corporate name of 'The Emigrant Savings Bank of Buffalo,' to 'The Mechanics' Savings Bank of Buffalo,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell moved to take from the table the question of concurrence in the amendments of the Assembly to the bill entitled "An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly to said entitled bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Murphy	Palmer	
Campbell	Folger	Mattoon	Nichols	Parker	
Chapman	Hale	Morgan	Nicks	Pierce	
Crowley	Hubbard	Morris	O'Donnell	Stanford	20

#### FOR THE NEGATIVE.

Cauldwell	Creamer	Tweed	8
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to legalize the official acts of Joshua L. Bliss, a justice of the peace," with a message that they had passed the same, with the following amendment:

Add at the end of section 1, the following: "and he shall continue in office with the same effect as if he had taken the oath at the proper time."

Amend the title by adding thereto the words: "and to continue him in office."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Palmer	Tweed	
Campbell	Graham	Morgan	Parker	Van Petten	
Chapman	Hale	Morris	Pierce	Williams	
Edwards	Humphrey	Nicks	Stanford		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate Manhattan Express," with a message that they had passed the same, with the following amendments:

Add at the end of section 1, the following: "nor shall anything herein contained be construed to permit, authorize or allow the carrying of passengers in said city of New York, or the running of vehicles of any kind for that purpose, or with that intent."

Section 7, line 2, engrossed bill, after the word "liabilities" insert the words "to an amount equal to the amount of the stock owned by them respectively."

Section 8, line 3, after the word "statutes" insert the words "and sections 44 and 45 of article 2 of title 12 of said chapter."

Mr. Creamer moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Palmer	
Bradley	Edwards	Humphrey	Morris	Parker	
Cauldwell	Graham	Kennedy	Nichols	Van Petten	
Chapman	Hale	Mattoon	Nicks		19

## FOR THE NEGATIVE.

Pierce

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent for concurrence the bills entitled as follows:

"An act to incorporate 'The Exempt Hose Company' of the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and said bill referred to the committee on internal affairs of towns and counties, with power to report complete.

"An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the commissioners of highways of the towns of Lockport and Newfane, to purchase the Long Causeway Turnpike, located on the boundary line between said towns, and owned by David Maxwell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to legalize the elections of trustees and other officers of the village of Cary, Genesee county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing the supervisors of the several counties in the second judicial district, not including the county of Kings, to appropriate and pay compensation to justices of the supreme court, and to stenographers for said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the German Benevolent Society of Staten Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to alter the map or plan of certain portions of the city of New York, and for the laying out and improvement of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend the act entitled 'An act to authorize Edwin C. Bowen to establish and maintain a ferry across the Cayuga lake at Union Springs,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the magistrates in the city of New York to commit orphans and friendless children to the care of the society known as the Shepherd's Fold of the Protestant Episcopal Church, in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend section 3 of an act entitled 'An act to consolidate common school districts Nos. 3, 4 and 5, in the village of Huntington, Suffolk county,' passed April 13, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal on the farm of George F. Dudley, in the town of Fort Ann, in the county of Washington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of Patterson Freeman, assignee of John White," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to release to Dorothea Morenz, the title of the people of the State of New York in and to certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend an act entitled 'An act appointing railroad commissioners of the town of Johnstown, and modifying their powers and duties,' passed March 13, 1867."

"An act to amend the charter of the village of Olean."

"An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its present charter."

"An act to incorporate the Chateaugay Waterworks Company."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to incorporate the village of Hamilton, in the town of Hamilton, in the county of Madison, and to repeal its present charter."

"An act to amend an act entitled 'An act to establish fire limits, and for the more effectual prevention of fires in the city of Brooklyn,' passed April 30, 1866."

"An act to incorporate the Brooklyn Eye and Ear Hospital."

"An act to enable the town of Delhi, Delaware county, to aid in the construction of a court house in said town."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

Assembly, "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal in the city of Rochester, in the county of Monroe."

"An act to authorize the construction of swing bridges over the Chenango canal, in the city of Binghamton, at its intersection with Henry and Hawley streets."

Assembly, "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the town of Watervliet, in the county of Albany."

After some time spent therein, the President resumed the chair, and Mr. Graham, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Graham, from the same committee, reported in favor of the passage of the last named bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Genet	Mattoon	Norton	Stanford
Bradley	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman				

21

#### FOR THE NEGATIVE.

Edwards      Thayer

2

*Ordered*, That said bill be read a third time.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to authorize the construction of an iron bridge over the State canal, upon Forman street, in the village of Cazenovia."

"An act to authorize the construction of a farm bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga."

"An act to authorize the construction of an iron bridge over the Champlain canal, in the village of Fort Edward."

After some time spent therein, the President resumed the chair, and Mr. Bradley, from said committee, reported in favor of the passage of

said bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Creamer moved to postpone the present special order.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to authorize the construction of an iron bridge over the Champlain canal, on Ferry street, in the village of Schuylerville, in the county of Saratoga."

"An act to provide for the removal and construction of certain canal bridges in the village of Rome."

"An act to provide for the construction of a bridge over the Champlain canal, in the village of Mechanicsville."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Mattoon, from the same committee, reported in favor of the passage of the last named bill, with an amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nichols	Parker
Beach	Crowley	Morgan	Norton	Stanford
Cauldwell	Hubbard	Morris	Palmer	Thayer
Chapman	Kennedy			

17

*Ordered*, That said bill be read a third time.

The hour of 7 o'clock having arrived, the Senate adjourned.

SATURDAY, APRIL 25, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Graves.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to release to Margaret Sweeney certain lands in the Twelfth ward, Brooklyn."

"An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of boats and their cargoes at Oswego."

"An act to incorporate the Port Richmond and Bergen Point Ferry Company, and to repeal chapter 306 of the Laws of 1848, and the several acts amendatory thereof."

"An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn."

Also as correctly re-engrossed:

"An act to legalize the official acts of Joshua S. Bliss, a justice of the peace."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 19, 1868."

"An act to incorporate the city of Ogdensburgh."

"An act to amend the charter of the city of Syracuse."

"An act to incorporate the Manhattan Express."

Pursuant to the 9th joint rule, the Senate proceeded to the third reading of bills.

The Assembly bill entitled "An act to incorporate the 'Mutual Protection Hook, Ladder and Bucket Company No. 1,' of Hicksville, in the town of Oyster Bay, Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Morris	Parker	
Campbell	Hale	Mattoon	Nichols	Stanford	
Cauldwell	Hubbard	Morgan	O'Donnell	Tweed	
Crowley	Humphrey				17

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate Lafayette Fire Engine Company No. 1, of South Roundout, in the town of Esopus and county of Ulster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Nichols	Stanford	
Campbell	Hale	Mattoon	O'Donnell	Thayer	
Cauldwell	Hubbard	Morgan	Palmer	Tweed	
Crowley	Humphrey	Morris	Parker	Williams	20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 250 of the Laws of 1863, entitled 'An act to incorporate Empire Hook and Ladder Company No. 1, of Upper Nyack,' passed April 29, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	O'Donnell	Thayer	
Campbell	Hubbard	Morgan	Palmer	Tweed	
Cauldwell	Humphrey	Morris	Parker	Van Petten	
Crowley	Kennedy	Nichols	Stanford	Williams	
Graham					21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize and require



the Comptroller to settle with the treasurers of the counties of Hamilton, Warren and Essex, in relation to certain non-resident taxes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	O'Donnell	Thayer
Campbell	Hale	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Folger	Humphrey	Nichols	Stanford	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to police commissioners and police officers in the village of Cold Spring, Putnam county,' passed March 21, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	O'Donnell	Thayer
Campbell	Hale	Mattoon	Palmer	Tweed
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Crowley	Humphrey	Morris	Stanford	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Liverpool and Syracuse Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	O'Donnell	Stanford
Campbell	Hubbard	Morgan	Palmer	Thayer
Cauldwell	Humphrey	Morris	Parker	Tweed
Genet	Kennedy	Nichols	Pierce	Van Petten
Graham				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize certain towns in the counties of Livingston, Allegany and Steuben, to issue bonds and take stock in the Erie and Genesee Valley Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	O'Donnell	Thayer	
Cauldwell	Hale	Morgan	Parker	Tweed	
Creamer	Hubbard	Morris	Pierce	Van Petten	
Genet	Humphrey	Nichols	Stanford	Williams	20

## FOR THE NEGATIVE.

Crowley	Folger				2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the construction of a railroad from the end of the Long Wharf, on the Hudson river, in the town of Fishkill, Dutchess county, to Matteawan, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Kennedy	O'Donnell	Stanford	
Cauldwell	Hale	Morgan	Palmer	Thayer	
Creamer	Hubbard	Morris	Parker	Tweed	
Folger	Humphrey	Nichols	Pierce	Van Petten	
Genet					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Port Richmond and Bergen Point Ferry Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Parker	Tweed	
Campbell	Genet	Mattoon	Pierce	Van Petten	
Cauldwell	Graham	Morgan	Stanford	Williams	
Creamer	Hale	Morris	Thayer		19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the more effectual protection of emigrants arriving at the port of New York," having been announced for a third reading.

Mr. Creamer moved that said bill be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of boats and their cargoes at Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nichols	Pierce	
Campbell	Genet	Kennedy	Nicks	Stanford	

Cauldwell	Graham	Mattoon	Norton	Thayer
Creamer	Hale	Morgan	O'Donnell	Van Petten
Crowley	Hubbard	Morris	Parker	

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Orthopaedic Dispensary in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Nicks	Stanford
Campbell	Hale	Morgan	O'Donnell	Thayer
Cauldwell	Hubbard	Morris	Parker	Van Petten
Creamer	Humphrey	Nichols	Pierce	Williams
Genet				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Creamer moved to take from the table the Assembly bill entitled "An act for the more effectual protection of emigrants arriving at the port of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Creamer	Hubbard	Nichols	Pierce	Williams
Folger	Kennedy	Nicks	Stanford	

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the formation of independent hose companies in the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hubbard	Morgan	Norton	Stanford
Cauldwell	Humphrey	Morris	O'Donnell	Thayer
Creamer	Kennedy	Nichols	Parker	Tweed
Graham	Mattoon	Nicks	Pierce	Van Petten
Hale				

FOR THE NEGATIVE.

Folger

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the borrowing of money and the issue of town bonds by the board of town auditors of the town of Varick, in the county of Seneca," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Pierce
Cauldwell	Hubbard	Morgan	Norton	Thayer
Folger	Humphrey	Morris	O'Donnell	Van Petten
Genet	Kennedy	Nichols	Parker	Williams
Graham				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act empowering the board of supervisors of Monroe county to require bail from the superintendent of the Monroe county penitentiary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Norton	Thayer
Campbell	Hale	Mattoon	Parker	Tweed
Cauldwell	Hubbard	Morgan	Pierce	Van Petten
Folger	Humphrey	Nicks	Stanford	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Murphy	Pierce
Campbell	Hale	Mattoon	Nichols	Stanford
Cauldwell	Hubbard	Morgan	Nicks	Thayer
Creamer	Humphrey	Morris	Parker	Williams
Crowley				

21

## FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release to Margaret Sweeney, certain lands in the Twelfth ward, Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nicks	Stanford
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	Parker	Tweed
Creamer	Humphrey	Nichols	Pierce	Van Petten
Crowley	Kennedy			

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of the Co-operative Iron Founders' Association of West Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nicks	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Creamer	Humphrey	Norton	Pierce	Williams
Crowley	Kennedy			

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to regulate the fees of justices of the peace attending as justices of sessions at the criminal terms of the several courts of record within the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Norton	Thayer
Campbell	Hubbard	Morgan	Palmer	Tweed
Cauldwell	Humphrey	Morris	Parker	Van Petten
Creamer	Kennedy	Nicks	Pierce	Williams
Graham				

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act releasing the title of the State of New York to certain lands situate in Caledonia, Livingston county, of which Thomas Jenkins died seized," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Thayer
Beach	Folger	Mattoon	Palmer	Tweed
Campbell	Graham	Morgan	Parker	Van Petten
Cauldwell	Hale	Morris	Pierce	Williams
Creamer	Humphrey	Nicks		

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to lands in the city of Brooklyn, devised by John Thursby, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Crowley	Humphrey	Nichols	Thayer
Bradley	Folger	Kennedy	Nicks	Tweed
Campbell	Genet	Mattoon	Norton	Van Petten
Cauldwell	Graham	Morgan	Palmer	Williams
				25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the supervisor of the town of Westport, in the county of Essex, to convey certain lands to the Westport Cemetery Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Humphrey	Nichols	Thayer
Beach	Graham	Mattoon	Norton	Tweed
Campbell	Hale	Morgan	Parker	Van Petten
Cauldwell	Hubbard	Morris	Pierce	Williams
				10

## FOR THE NEGATIVE.

Folger 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Palmer	Thayer
Campbell	Hale	Mattoon	Parker	Van Petten
Cauldwell	Hubbard	Morgan	Pierce	Williams
Genet	Humphrey	Morris	Stanford	
				19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to change the corporate name of 'The Emigrant Savings Bank of Buffalo,' to 'The Mechanics' Savings Bank of Buffalo,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Thayer
Beach	Genet	Kennedy	Nichols	Van Patten
Campbell	Graham	Mattoon	Nicks	Williams
Cauldwell	Hale	Morgan	Parker	

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe," having been announced for a third reading.

Mr. Morgan moved to recommit said bill to the committee on canals, with instructions to insert after the word "ordinary" the words "or extraordinary" and report back forthwith.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the town of Watervliet, in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Nichols	Parker
Beach	Creamer	Hubbard	Nicks	Stanford
Bradley	Genet	Mattoon	Norton	Tweed
Campbell	Graham	Morris	Palmer	Van Patten

## FOR THE NEGATIVE.

Humphrey	Murphy	Thayer	
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Stanford, from the committee on canals, reported back the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal, in the city of Rochester, in the county of Monroe," amended, pursuant to instruction of the Senate.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Norton	Tweed
Beach	Graham	Mattoon	Pierce	Van Patten
Campbell	Hale	Morgan	Stanford	Williams
Cauldwell	Hubbard	Nicks		

## FOR THE NEGATIVE.

O'Donnell	Parker	Thayer	
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of an iron bridge over the State canal, upon Forman street, in the village of Cazenovia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Norton	Stanford
Beach	Genet	Kennedy	O'Donnell	Thayer
Bradley	Graham	Mattoon	Palmer	Van Petten
Campbell	Hale	Morgan	Parker	Williams
Cauldwell	Hubbard	Nicks	Pierce	24

## FOR THE NEGATIVE.

Crowley	Morris	Nichols	8
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of a farm bridge over the Champlain canal, for the benefit of Lydia Ann Weaver, in the town of Waterford, county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nicks	Stanford
Beach	Graham	Mattoon	Norton	Thayer
Bradley	Hale	Morgan	Palmer	Van Petten
Campbell	Hubbard	Morris	Pierce	Williams
Cauldwell				21

## FOR THE NEGATIVE.

Crowley	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the construction of an iron bridge over the Champlain canal, in the village of Fort Edward," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Humphrey	Nicks	Pierce
Beach	Genet	Mattoon	Norton	Stanford
Bradley	Graham	Morgan	Palmer	Thayer
Campbell	Hubbard	Morris	Parker	Williams
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the construction of an iron bridge over the Champlain canal, on Ferry street, in the village of Schuylerville, in the county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a



majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	Norton	Tayer
Beach	Hubbard	Morgan	Palmer	Van Petten
Bradley	Humphrey	Morris	Pierce	Williams
Campbell	Kennedy	Nicks	Stanford	

19

## FOR THE NEGATIVE.

Crowley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the removal and construction of certain canal bridges in the village of Rome," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Tayer
Beach	Graham	Morgan	Palmer	Tweed
Bradley	Hale	Morris	Parker	Van Petten
Campbell	Hubbard	Nicks	Pierce	Williams
Cauldwell	Kennedy	Norton	Stanford	

24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the construction of a bridge over the Champlain canal, in the village of Mechanicsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	O'Donnell	Stanford
Bradley	Hale	Morris	Palmer	Tweed
Campbell	Hubbard	Nicks	Parker	Van Petten
Cauldwell	Kennedy	Norton	Pierce	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Homœopathic Mutual Life Insurance Company of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker and by unanimous consent, the rules were suspended and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Pierce
Beach	Genet	Mattoon	Norton	Stanford
Campbell	Graham	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Murphy	Palmer	Williams
Chapman	Humphrey	Nichols	Parker	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, April 23, 1868.

*Resolved*, (if the Senate concur,) That His Excellency the Governor be respectfully requested to return the Assembly bill entitled "An act to amend an act entitled 'An act for the better protection and regulation of firemen in the city of Brooklyn,' passed February 17, 1867, and the act amendatory thereof, passed May 2, 1863," for the purpose of correction.

By order.

C. W. ARMSTRONG, Clerk.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said resolution ordered considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23d, 1862, designated as the 'Military Code of the State of New York.'"

"An act to afford the same facilities to passengers or property transported by steamboat on the Hudson river, as is afforded by railroad."

After some time spent therein, the President resumed the chair, and Mr. Humphrey, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the same committee, reported in favor of the passage of the last named bill, without amendment.

Mr. Parker moved to recommit said bill to the committee on commerce and navigation, with instructions to so amend the same as to make its provisions applicable to the city of Troy as well as the city of Albany.

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

The President having announced the order of business of "reports of standing committees."

Mr. Murphy moved to lay that order of business upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The hour of 1 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Pierce moved to take from the table the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens.'"

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal on the farm of George F. Dudley, in the town of Fort Ann, in the county of Washington," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act supplementary to an act to incorporate the East India Telegraph Company," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act incorporating the Safe Deposit Company of Binghamton," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the title of the people of the State of New York to certain lands in the town of Gates, county of Monroe, to James Rodman," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish a free union school or schools therein,' passed April 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for making indices of the deeds, mortgages, writings, documents and maps of record in the county of Richmond, and for the payment of the cost and

expenses thereof, and of the books and materials required for the same,' passed May 16, 1867," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Hamburg Driving Park Association," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Pierce, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to incorporate 'The New York and Brooklyn Iron Tubular Tunnel Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Genet, from the committee on public health and medical societies, to which was recommitted the Assembly bill entitled "An act to amend the certificate of incorporation of the New York Ophthalmic Hospital," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act to confer jurisdiction on the Canal Board to adjudicate the claim of O. P. Root, on section 142 Erie canal," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act relative to immigrants and other passengers arriving at or departing from the port of New York," reported in favor of the passage of the same.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Hale, from the committee on the judiciary, to which was recommitted the bill entitled "An act for the relief of Belden Noble and the heirs of Harmon Noble, deceased," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Hale, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," with power to report complete, reported the same complete, with an amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal, and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to incorpo-

rate 'The Commercial Warehouse Company,' of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act supplementary to chapter 489 of Laws of 1867, and to enable the city of New York to collect and use the revenues in certain cases," reported in favor of the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1864," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Cambridge," passed April 16, 1866," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize the proceedings of the trustees and assessors of the village of Albion, in reference to widening Canal street," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Troy,' passed March 29, 1822," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to extend the time for the collection of Spring, Phila and Division street assessments, in the vil-

lage of Saratoga Springs, and to confirm the acts of the trustees relative thereto," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act to amend and consolidate the several acts relative to the village of Ballston Spa, passed April 12, 1855," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the Rhinebeck Gas Company," reported in favor of the passage of the same.

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend chapter 554 of the Laws of 1865, entitled 'An act to establish a Capital Police district, and to provide for the government thereof,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading."

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of Palatine Bridge," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Port Chester," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to consolidate, re-enact and amend the charter of the village of Yonkers, in the county of Westchester, passed April 12, 1855, and the several acts amending the same, and to extend the powers of the corporation," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of Corfu," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide a supply of water in the city of Buffalo," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was

referred the Assembly bill entitled "An act to amend an act and consolidate the several acts relating to the village of Hornellsville, passed April 9, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts and proceedings of Daniel Hawks, as justice of the peace of the town of Andes, county of Delaware," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to change the corporate name of 'The First Congregational Society of Augusta and Gorham' to 'The First Congregational Church and Society of Rushville,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Williams, from the committee on the judiciary, to which was recommitted the bill entitled "An act supplementary to an act to incorporate 'The East India Telegraph Company,' passed April 3, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the Society of Agriculture and Horticulture of Westchester county, to mortgage, lease or sell real estate," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway, and certain highway taxes in the county of Hamilton,' passed April 22, 1867, and to provide for re-locating said highway over the lands of Isaac Williams," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend section 3 of an act entitled 'An act to consolidate common school districts Nos. 3, 4 and 5, in the village of Huntington, Suffolk county,'" reported in favor of the passage of the same, with amendments.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the board of trustees of the village of West Troy, to purchase a lot and build a house for the use of John Duffy Steam Fire Company, and Tinney Hose Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to fix the time and place of holding the annual town meetings in the town of Grand Island, in the county of Erie," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to incorporate the Exempt Hose Company of the city of Auburn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to make the office of supervisor of Erie county a salaried office, and to regulate the salaries of clerk and sergeant-at-arms of said board of supervisors of Erie county," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the formation of a railroad company and the construction of a railroad for public use, from the Utica and Black River railroad, by way of Forestport and Port Woodhull, to Bellinger Town, and branches," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act confirming the acts of the people of the towns of Ellicottville, Machias, and Great Valley, in the county of Cattaraugus, and authorizing the said several towns to subscribe to the capital stock of the 'Cattaraugus Railway Company,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee on municipal affairs, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the construction of a railroad from the village of Olean to the Erie railway depot at Olean," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley moved that the committee on municipal affairs be discharged from the further consideration of the Assembly bill entitled "An act to authorize the construction of a railroad in Third street, and in certain other streets and avenues in the city of New York," and that the same be referred to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act conferring upon the Brooklyn



Patent Pressed Brick Company power to hold real estate," was recommended to the committee on the judiciary, with power to report complete.

Mr. Palmer, from the committee on banks, to which was recommended the bill entitled "An act to incorporate the Lowville Savings Bank," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the 'Bushwick Savings Bank' of the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommended to the committee, with power to report complete.

Mr. Humphrey, from a majority of the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act for the improvement of the navigation of Big Chazy river," reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommended to the committee, with power to report complete.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Fulton Ferry Company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from a majority of the committee of the judiciary, to which was referred the bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommended to the committee, with power to report complete.

Mr. Stanford, from the committee on insurance, to which was referred the Assembly bill entitled "An act to incorporate the New York Health and Accident Insurance Company," reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommended to the committee, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act authorizing an appropriation to preserve the State bridge across the Sacondaga river, in the county of Saratoga," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommended to the committee, with power to report complete.

Mr. O'Donnell stated his dissent from said report, which was ordered entered upon the journal.

The Assembly sent for concurrence the bills entitled as follows:

"An act the more effectually to prevent the liability of accidents to, and for the better information of travelers upon railway passenger cars in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to prevent frauds in the sale of tickets to passengers upon railroads, steamboats and steamships,'

passed April 15, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, with power to report complete.

"An act to authorize the classification of the directors of the New York Institution for the instruction of the deaf and dumb, and relating to said institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed April 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act in relation to the water front of the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act empowering judges and justices of courts in the city of New York, to take acknowledgments of deeds and other instruments, for records," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the village of Douglas, in the counties of Delaware and Sullivan, to subscribe for and take capital stock in certain stock companies in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act authorizing a special town meeting in the town of Salina, Onondaga county, for the purpose of raising an increased amount of money for the support of roads in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to alter the map or plan of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing the executor of the last will and testament of Peter Ten Broeck, deceased, to pay to the trustees of the Ten Broeck Free Academy the legacy bequeathed by said will for the use of said academy," reported in favor of the passage of the same, with amendments.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger stated his dissent from said report, which was ordered entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was referred the Senate bills providing amendments to an act entitled "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," passed April 12, 1848," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to enable Conrad Poppenhusen to found an institution in the village of College Point," with a message that they had passed the same, with the following amendments: Reference being had to engrossed bill.

Section 1, line 1, strike out "North" and insert "South."

Section 4, line 4, strike out the word "members" and insert the word "numbers."

Section 5, line 11, insert the words "the number" between the words "by" and "five."

Section 6, line 7, at the end, after the word "member" insert the word "number" so as to read "member number one," &c.

Section 16, line 3, strike out the word "Flushing" and insert the words "College Point."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	O'Donnell	Stanford
Bradley	Genet	Kennedy	Palmer	Thayer
Cauldwell	Graham	Mattoon	Parker	Van Petten
Chapman	Hale	Morris	Pierce	Williams
Crowley	Hubbard			

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent a message, in the words following:

Mr. Bradstreet, from the committee of conference on the matters in difference on the bill entitled "An act in relation to the Canal Department, and to abolish the Contracting Board," presented the following report:

That they have had the same under consideration and agreed to amend the same as follows: (Reference being had in all cases to the bill as amended by the Senate.)

1st. By striking out the 6th section thereof.

2d. By adding to the 10th section of said bill, at the end thereof, the words following: "except superintendents of repairs."

3d. By striking out the 13th section thereof.

4th. By striking out of the 14th section of said bill the words: "and any person holding office under the laws of this State."

That a copy of said bill, as amended and agreed upon by the conference committee of the Senate and Assembly, is herewith submitted as a part of this report.

All which is respectfully submitted.

CHARLES STANFORD,

GEORGE BEACH,

*Senate Committee.*

N. C. BRADSTREET,

W. H. CHAPMAN,

JACKSON A. SUMNER,

L. P. DAYTON,

D. W. PARSHALL,

*Assembly Committee.*

SECTION 1. The act entitled "An act for letting certain canal repairs by contract," passed April 15, 1854, the act entitled "An act to enlarge the powers and define the duties of the Contracting Board," passed March 14, 1857, and the act entitled "An act to amend the act entitled 'An act to enlarge the powers and define the duty of the Contracting Board,' passed March 14, 1857," passed April 23, 1867, are hereby repealed, except so far as hereinafter provided.

§ 2. All contracts entered into by the Contracting Board for the repairs of the canals, and dated before the first day of December, 1866, shall not be affected by this act, except as herein provided, and shall

expire by their own limitation, and shall not thereafter be renewed or continued under any pretence whatever; and the repeal of the acts in the first section mentioned shall in no respects be held to invalidate the said contracts, or discharge any of the contractors from the duties and obligations imposed by the said contracts or the said acts, or any other law of this State, and the right of the said contractors to receive from the State any pecuniary compensation, or other relief under said contracts, shall not be affected hereby.

§ 3. Any person or persons who may hold any of said unexpired contracts at the date of the passage of this act, and who shall have faithfully performed the terms and conditions thereof up to that time, may surrender said contract or contracts to the Canal Board with the same legal effect in all respects as if said contract or contracts had expired by their own limitation.

§ 4. Any contractor or contractors who shall have or hold any contract for the repairs of the canals of this State, made and entered into with the Contracting Board, and dated since the first day of December, 1866, shall, in compliance with the provisions, and the terms, and conditions of such contracts, surrender and deliver up the same, to be cancelled without any claim for prospective damages, or any other damages and compensation, except to be paid for labor and services performed under such contracts up to the time of its surrender and cancelation, and also a full and fair compensation for the tools, materials and implements necessarily procured for the purpose of fulfilling such contracts by such contractors, and on hand when said contract is cancelled, which shall be contained and provided for in said contracts. But nothing herein contained shall be held or construed to affect any legal proceedings which may have been or shall be taken by the Attorney General against any of said contractors.

§ 5. In all cases where the contracts for the repairs and maintenance of the canals shall expire, be abandoned, or be delivered up and cancelled, according to the provisions of this act, or in any other manner, the Canal Commissioner shall take charge of the section embraced in such contract, and make the repairs necessary to maintain navigation, in the manner provided by law.

§ 6. The superintendents of repairs shall not make any payments for labor, materials, tools and implements, or any other matter or thing had or used for the repairs of the canals, but shall make up their vouchers therefor at the close of each month, and notify the Auditor of the Canal Department of the amount thereof by items: and no payment shall be made for any charge or expense incurred for repairs, except such as shall be embraced in the detailed estimate approved by the Canal Commissioner in charge of the division; but in case of breaks, leaks, wrecks, or any unforeseen occurrence calculated to obstruct or delay navigation, the superintendent in charge, in the absence of the Commissioner, shall have power, without delay, to repair or remove such obstruction.

§ 7. The Commissioners of the Canal Fund shall, from time to time, designate and appoint some suitable person paymaster on each division of the canals, whose duty it shall be, once in each month, to visit his division, and pay all claims, accounts and vouchers for repairs that shall have been duly sworn to by the foreman, certified by the superintendent, approved by the Canal Commissioner, and audited by the Auditor of the Canal Department, and the said vouchers shall be filed in the office of the Auditor of the Canal Department, there to remain of record; and the Auditor shall cause the publication once in each month, in the State

paper, the amount of material and the cost price thereof, purchased the preceding month for use upon the canals.

§ 8. Each of the said paymasters shall execute and file in the Canal Department a bond to the people of this State, conditioned for the faithful performance of his duty, and also for the faithful expenditure and payment of the moneys which shall be entrusted to him, in such penalty as the Commissioners of the Canal Fund shall direct, and with such sureties as the Auditor may approve. The Commissioners of the Canal Fund shall have power to fix the salary and compensation of each of the said paymasters, which shall not exceed two thousand dollars per annum.

§ 9. So much of all laws or parts of laws as conflict with the provisions of this act, or authorize the letting of the repairs of the canals by contract, shall be and the same are hereby repealed, but the repeal of any former law, which in terms abolished any then existing office, whose appointment was vested in the Canal Board or the Contracting Board, shall not be deemed and taken to revive such office, or the power to make any appointments thereto, except superintendents of repairs.

§ 10. Whenever any contractor shall deliver up and surrender his contract to be cancelled under the provisions of this act, and the same shall be accepted by the Canal Board, after the full performance of the conditions thereof, such contractor shall be entitled to receive from the Canal Commissioner in charge a draft upon the Auditor for the amount of the money deposited as security for the performance thereof, together with the interest thereon, and also a draft for the sum or sums that would be due to the contractor if this act had not been passed, and the said contract had not been cancelled.

§ 11. Nothing contained in this act shall be held or construed to affect any action now pending, or any right of action now existing, nor any power conferred upon the Attorney General, to bring actions upon or concerning any contract for canal repairs, nor any action brought by him and now pending.

§ 12. Any superintendent, engineer, foreman, contractor, or other person, who shall make any receipt, voucher, estimate or statement false in fact with respect to the quantity, kind or quality of any materials bought or sold, or of work done, or of labor performed, in and about the business of repairing or maintaining any of the canals of this State, with the intent thereby to defraud the State, who, except in payment of his legal salary, fees or perquisites, receives or consents to receive, directly or indirectly, anything of value, or of personal advantage, or the promise thereof, for performing or omitting to perform any official act, or with the express or implied understanding that his official action or omission to act is to be in any degree influenced thereby, shall be deemed guilty of a felony, and on conviction shall be punished by imprisonment in a State prison for a term not exceeding five years, or by a fine not exceeding five thousand dollars, or both, in the discretion of the court.

§ 13. Whenever any Canal Commissioner shall be suspended or disabled from executing the duties of his office, the remaining Commissioners shall, for the time being, take charge of the division in charge of said Commissioner at the time said suspension or disability occurred, and perform all the duties of said suspended or disabled Commissioner.

§ 14. This act shall take effect immediately.

Amend the title so as to read as follows:

"An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857, and to repeal the act entitled 'An act to amend the act entitled An act to

enlarge the powers and define the duties of the Contracting Board, passed March 14, 1857, passed April 23, 1867, and to define the method in which the repairs of the canals shall hereafter be conducted."

IN ASSEMBLY, April 24, 1868.

*Resolved*, That the Assembly agree to the report of the committee of conference on the above entitled bill.

By order of the Assembly.

C. W. ARMSTRONG, *Clerk*.

Mr. Folger dissented from the said report, and requested that the same be entered upon the journal.

Mr. Folger moved to lay the report upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Crowley	Kennedy	Nicks	Parker	Van Petten	
Folger	Mattoon	O'Donnell	Thayer	Williams	
Hale	Nichols	Palmer			18

FOR THE NEGATIVE.

Banks	Cauldwell	Genet	Hubbard	Pierce	
Bradley	Creamer	Graham	Morris	Stanford	10

By unanimous consent, Mr. Stanford asked and obtained leave to introduce a bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes, in relation to limited partnerships," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Banks asked and obtained leave to introduce a bill entitled "An act to extend the time for the organization of the Albany Manufacturing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide for the payment for fire hose furnished to the fire department of the city of Brooklyn," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868 inclusive," was recommitted to the committee on finance, with power to report complete.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains Road,' and also a portion of First street, in the village of Mount Vernon," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Cauldwell offered the following resolution:

*Resolved*, That Assembly bill No. 642, being "An act for the better protection of the interests of the mechanics of this State, by regulating the use of convict labor in the several State prisons," be made the special order for Monday afternoon, at 4 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Hale offered the following resolution:

*Resolved*, That the following entitled Assembly bills, be made the special order for Monday morning, after reading the journal:

"An act in relation to the working of the quarry contract at the State prison at Sing Sing."

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hale offered the following resolution:

*Resolved*, That smoking in the Senate chamber, and rooms adjoining, be strictly prohibited, and that the officers of the Senate see this resolution strictly enforced.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Hale	Mattoon	O'Donnell	Stanford
Cauldwell	Hubbard	Morris	Palmer	Thayer
Creamer	Humphrey	Nichols	Parker	Van Petten
Crowley	Kennedy	Nicks	Pierce	Williams
Folger				

21

#### FOR THE NEGATIVE.

Bradley	Genet	Graham
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3

On motion of Mr. Palmer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Thayer, from the committee on manufactures, to which was referred the bill entitled "An act to extend the time for the organization of the Albany Bread Manufacturing Company," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for the support of government," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

I dissent from that part of the report which appoints another commissioner residing in the city of Albany, for the reason that Hamilton Harris and John V. L. Pruyn, members of the commission, reside in the city of Albany. The new capitol being for the whole State, as well as for the city of Albany, it seems to me proper and necessary that the additional commissioners should be located in other parts of the State; particularly, I claim that one commissioner ought to be located in the central part of

the State and another in the northern part, both sections now being unrepresented in the commission, as it is constituted.

It will take a number of years, if annual appropriations are made by the Legislature, to complete the building. In my judgment, the present plan of building by sections, so as to retain the old capitol for the use of the Legislature while the new capitol is building, is unworthy of serious consideration. Such a plan after being entered on, would be abandoned, and the Legislature would have to provide for some other place. The extra expense would in my opinion more than pay for the additional land in the rear of the present capitol. Another very important consideration is that, if the present capitol is allowed to remain, the Legislature will not be compelled to appropriate money annually for the new capitol, on account of an immediate and urgent necessity to furnish accommodations for the Legislature.

I dissent from that part of the report which appropriates \$250,000. I estimate that there is money enough now in the hands of the commissioners to purchase the additional lands. The people of the State are, in my opinion, unwilling at present, to pay the necessary additional taxes which will have to be levied for the building of the capitol in such style as the State demands. From the testimony before the committee on finance, I do not believe the new capitol can be constructed for the sum named in the bill. I am opposed to the raising of any additional taxes upon the people for new public works, until our present assessment laws are changed, so that personal and corporate property shall pay its share of taxes, to the relief of the real estate owners of the State.

J. O'DONNELL.

Mr. O'Donnell moved that the Senate resolve itself into a committee of the whole upon said bill, immediately after the order of business of "motions and resolutions."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Morris, from a majority of the committee on the judiciary, to which was recommitted the bill entitled "An act to declare and establish the civil rights and status of the issue of certain intermarriages of Seneca Indians with white women," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the bill entitled "An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to pay the expense thereof," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Parker called for the consideration of the following resolution:

*Resolved*, (if the Assembly concur,) That Theodore W. Dwight, Wm. F. Allen, John Stanton Gould and Gaylord B. Hubbell, members of the executive committee of the Prison Association of the State of New York, be a committee (with power to fill their own vacancies,) to inquire into the general administration of the State Prisons, which inquiry, however, shall have special reference to their financial management, with a view to the question whether the prisons cannot be made self-sustaining, and so cease to be a burden upon the public treasury, and with a view of examining into the reformatory influences and practices as existing under our present prison system, and that said commission be authorized to summon before them and examine on oath or affirmation, any and all persons whose testimony they may deem important to the fur-



therance of their investigation; provided, however, that the said commission shall be no expense to the State, but that the proposed investigation shall be wholly at the expense of the Prison Association.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Mattoon	O'Donnell	Parker	Thayer	
Creamer	Morris	Palmer	Stanford	Van Petten	13
Humphrey	Nicks				

FOR THE NEGATIVE.

Banks	Crowley	Graham	Murphy	Pierce	
Bradley	Folger	Hubbard	Nichols	Williams	18
Cauldwell	Genet	Kennedy			

Mr. Van Petten offered the following resolution:

*Resolved*, That 500 copies of the Quartermaster General's report be printed for the use of the Quartermaster General's Department, and 500 copies for the use of the Senate.

*Ordered*, That said resolution be referred to the committee on public printing.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to more particularly define the duties of overseers of highways, and their appointment, in conformity with the provisions of chapter 522 of Laws of 1865," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend the charter of the village of Ovid," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to confirm the title of certain persons to real estate," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Murphy moved that the Assembly bill entitled "An act to incorporate the Inebriate's Home for Kings county," be made the special order for Tuesday next, immediately after the third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hubbard moved that all bills now upon general orders, for building bridges over canals, and also all claim bills, be made the special order immediately after the consideration of the general appropriation bill.

Mr. Folger moved also to include the bill entitled "An act to facilitate the construction of the West Shore Hudson River railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nichols moved to include also the Assembly bill entitled "An act to provide for building a bridge across the Tonawanda creek, on the Tonawanda reservation, and making an appropriation for the same."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Hubbard, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hale, from the committee on the judiciary, to which was recommended the bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Thayer, from the committee on manufactures, to which was recommended the bill entitled "An act to extend the time for the organization of the Albany Iron Manufacturing Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Banks, from the committee on municipal affairs, to which was recommended the bill entitled "An act authorizing and directing the common council of the city of New York to cause a manual to be prepared for the use of the mayor, aldermen and commonalty of said city," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

Assembly, "An act making appropriations for certain expenses of government."

Assembly, "An act to authorize the construction of an iron bridge over the Black River canal, in the village of Port Leyden, in the county of Lewis."

Assembly, "An act to confer jurisdiction on the Canal Board to open and adjust the final account for construction work on section 364 of the Erie canal."

Assembly, "An act to authorize the Canal Commissioners to construct a bridge over the Chenango canal, in the village of Greene."

Assembly, "An act for the payment of Peter Voorhees and James L. Voorhees for damages sustained by them in the draining of the Cayuga marshes."

Assembly, "An act for the relief of Samuel Price."

"An act for the relief of John Edwards."

"An act for the relief of the towns of Little Falls, Manheim and Danube, Herkimer county, in relation to the bridge at Fink's basin."

"An act for the relief of George W. Sauer."

Assembly, "An act in relation to a State ditch in the towns of Mentz and Montezuma, Cayuga county."

Assembly "An act to authorize the construction of an iron bridge over the Chenango canal, in the village of Hamilton."

"An act for the relief of Eli A. Bronson."

"An act in relation to reopening and maintaining a ditch, situated on the east side of and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston."

Assembly, "An act to authorize the Canal Commissioners to lease the surplus waters of the Champlain canal, at the Fort Edward lock, in the village of Fort Edward, Washington county."

After some time spent therein, the President resumed the chair, and Mr. Parker, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Parker, from the same committee, reported in favor of the passage of the second, third, fourth, fifth, sixth, tenth, eleventh and fourteenth named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Parker, from the same committee, reported in favor of the passage of the seventh, eighth, ninth, twelfth and thirteenth named bills, without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

Assembly, "An act to provide for building a bridge across the Tonawanda creek, on the Tonawanda reservation, and making an appropriation for the same."

Assembly, "An act to authorize the Canal Appraisers to examine the claims of Charles Collins and others, for damages sustained in consequence of the erection of a dam on the Mohawk river."

Assembly, "An act for the relief of David Kohler, Charles Kohler, John Strech, John Hughson and John Simson."

Assembly, "An act for the relief of Henry Bradley and Thomas McGuire, Jr."

Assembly, "An act relating to the claim of Patrick Rogers, for canal damages."

Assembly, "An act for the relief of Ira Peck, and Robert Robinson and sons."

Assembly, "An act to confer jurisdiction on the Canal Board, to adjudicate claim of O. P. Root, on section 142 Erie canal."

Assembly, "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal on the farm of George F. Dudley, in the town of Fort Ann, in the county of Washington."

Assembly, "An act for the relief of Chauncey Lane."

"An act to facilitate the construction of the West Shore Hudson River railroad, and to authorize cities, villages and towns to subscribe to the capital stock thereof."

After some time spent therein, the President resumed the chair, and Mr. Kennedy, from said committee, reported in favor of the passage of the nine first named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Kennedy, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Folger, the Senate adjourned.

MONDAY, APRIL 27, 1868.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of Saturday was read and approved.

Mr. Stanford, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to authorize the construction of a swing bridge over the Chenango canal, in the city of Binghamton, at its intersection with Henry and Hawley streets," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Banks offered the following resolution:

*Resolved*, (if the Assembly concur,) That a respectful message be sent to His Excellency the Governor, requesting him to return to the Assem-

bly the Assembly bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," for correction.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said resolution adopted.

*Ordered*, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to amend the certificate of incorporation of the New York Opthalmic Hospital," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Stanford
Campbell	Crowley	Hubbard	Morris	Thayer
Cauldwell	Folger	Kennedy	Parker	Van Petten
Chapman	Genet	Mattoon		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'Commercial Warehouse Company,' of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Morris	Thayer
Campbell	Genet	Mattoon	Palmer.	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Creamer	Hubbard			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to change the corporate name of 'The First Congregational Society of Augusta and Gorham' to 'The First Congregational Church and Society of Rushville,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Parker
Campbell	Crowley	Humphrey	Morris	Thayer
Cauldwell	Genet	Kennedy	Nicks	Tweed
Chapman	Graham	Mattoon	Palmer	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Lowville Savings Bank."

"An act incorporating the Safe Deposit Company of Binghamton."

"An act to establish a receiver of taxes in and for the town and village of Greenbush, county of Rensselaer, and to amend the several acts in relation to said town and village."

"An act to amend the charter of the Homœopathic Mutual Life Insurance Company of the city of New York."

"An act to declare and establish the civil rights and status of the issue of certain intermarriages of Seneca Indians with white women."

"An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to defray the expense thereof."

"An act to extend the time for the organization of the Albany Iron Manufacturing Company."

"An act to define more particularly the powers of the Commissioners of the Land Office."

"An act supplementary to an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 3, 1864."

"An act for the relief of Eli A. Bronson."

"An act for the relief of George W. Sauer."

"An act for the relief of the towns of Little Falls, Manheim and Danube, Herkimer county, in relation to the bridge at Fink's basin."

"An act in relation to reopening and maintaining a ditch, situated on the east side and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston."

"An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes."

"An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester."

"An act for the relief of John Edwards."

"An act for the relief of Belden Noble, and the heirs of Harmon Noble, deceased."

Also as correctly re-engrossed:

"An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

"An act to enable Conrad Poppenhusen to found an institution in the village of College Point."

"An act to enable the tax-paying electors of the village of Genesee to raise money in aid of 'The Walworth Normal and Training School,' located in that village."

"An act to provide for the appointment of an additional number of notaries public in the State of New York."

The bill entitled "An act incorporating the Safe Deposit Company of Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Chapman	Humphrey	Nichols	Stanford	Williams
Folger	Kennedy	Nicks		

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate 'The Exempt Hose Company' of the city of Auburn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Palmer	Van Petten
Chapman	Graham	Morgan	Parker	Williams
Creamer	Hubbard	Morris	Stanford	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to fix the time and place of holding the annual town meetings in the town of Grand Island, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Humphrey	Morris	Parker
Cauldwell	Graham	Kennedy	Nichols	Stanford
Chapman	Hale	Mattoon	Nicks	Thayer
Folger	Hubbard	Morgan	Palmer	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the 'Military Code of the State of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Thayer
Campbell	Hale	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Chapman	Kennedy	Nichols	Stanford	Williams
Genet				

21

## FOR THE NEGATIVE.

Crowley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the village of Palatine Bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten
Folger	Kennedy	Nicks	Stanford	Williams
Genet				

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer
Campbell	Hale	Morgan	Palmer	Van Petten
Chapman	Kennedy	Morris	Parker	Williams
Crowley				

16

## FOR THE NEGATIVE.

Bradley	Genet	Hubbard	O'Donnell	Tweed
Cauldwell	Graham	Nichols	Stanford	

9

Mr. Parker moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morris	Stanford
Campbell	Crowley	Kennedy	Nichols	Tweed
Cauldwell	Folger	Mattoon	Nicks	Williams
Chapman	Genet	Morgan		

18

Mr. Nichols moved to recommit said bill to the committee on the judiciary, retaining its place in third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to incorporate the village of Port Chester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Morgan	Thayer
Bradley	Crowley	Hubbard	Nichols	Tweed
Campbell	Folger	Kennedy	O'Donnell	Van Petten
Cauldwell	Genet	Mattoon	Stanford	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to consolidate, re-enact and amend the charter of the village of Yonkers, in the county of Westchester, passed April 12, 1855, and the several acts amending the same, and to extend the powers of the corporation," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Stanford
Bradley	Growley	Hubbard	Nichols	Tweed
Campbell	Folger	Kennedy	O'Donnell	Van Petten
Cauldwell	Genet	Mattoon	Parker	Williams
Chapman	Graham	Morgan		28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the construction of swing bridges over the Chenango canal, in the city of Binghamton, at its intersection with Henry and Hawley streets," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Morris	Parker
Bradley	Creamer	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	Nicks	Tweed
Cauldwell	Graham	Morgan	O'Donnell	Van Petten
				20

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act supplementary to an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 3, 1864," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Morgan	Thayer
Bradley	Creamer	Hubbard	Morris	Van Petten
Campbell	Folger	Kennedy	Parker	Williams
Cauldwell	Genet	Mattoon		18

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the formation of a railroad company and the construction of a railroad for public use, from the Utica and Black River railroad, by way of Forestport and Port Woodhull, to Bellingier Town, and branches," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Thayer
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Graham	Morgan	O'Donnell	Williams
Chapman	Hale	Morris	Stanford	19



*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act confirming the acts of the people of the towns of Ellicottville, Machias, and Great Valley, in the county of Cattaraugus, and authorizing the said several towns to subscribe to the capital stock of the 'Cattaraugus Railway Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hubbard	Nicks	Stanford
Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Chapman	Hale	Nichols	Parker	Williams

## FOR THE NEGATIVE.

Crowley

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Lowville Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	O'Donnell	Thayer
Campbell	Graham	Mattoon	Palmer	Van Petten
Cauldwell	Hale	Morris	Parker	Williams
Creamer	Hubbard			

17

## FOR THE NEGATIVE.

Nichols

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to declare and establish the civil rights and status of the issue of certain intermarriages of Seneca Indians with white women," having been announced for a third reading,

Mr. Morgan moved to recommit the same to the committee on the judiciary, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nicks	Thayer
Campbell	Folger	Mattoon	O'Donnell	Williams
Chapman	Genet	Morgan	Stanford	

14

## FOR THE NEGATIVE.

Cauldwell	Graham	Hubbard	Nichols	Van Petten
Creamer	Hale	Morris	Tweed	

9

The bill entitled "An act for the relief of Belden Noble and the heirs of Harmon Noble, deceased," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Tweed
Chapman	Hubbard	Nichols	Parker	Van Petten
Creamer	Humphrey			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to define more particularly the powers of the Commissioners of the Land Office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Nichols	Stanford
Beach	Genet	Mattoon	Nicks	Thayer
Campbell	Hale	Morgan	O'Donnell	Van Petten
Cauldwell	Hubbard	Morris	Parker	Williams
Chapman	Humphrey			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for the organization of the Albany Iron Manufacturing Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Mattoon	O'Donnell
Beach	Folger	Hubbard	Morgan	Parker
Campbell	Genet	Humphrey	Nichols	Stanford
Cauldwell	Graham	Kennedy	Nicks	Tweed
Creamer				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to defray the expense thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Thayer
Beach	Creamer	Hubbard	Morris	Tweed
Bradley	Genet	Kennedy	Nicks	Van Petten
Cauldwell	Graham	Mattoon	Parker	Williams

20

## FOR THE NEGATIVE.

Folger	O'Donnell
--------	-----------

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Morgan	Thayer
Beach	Creamer	Humphrey	Morris	Tweed
Bradley	Graham	Kennedy	Nichols	Van Petten
Campbell	Hale	Mattoon	Nicks	Williams
Cauldwell				

2

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the construction of an iron bridge over the Black River canal, in the village of Port Leyden, in the county of Lewis," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	Nicks	Thayer
Cauldwell	Hale	Morgan	O'Donnell	Tweed
Chapman	Hubbard	Morris	Parker	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confer jurisdiction on the Canal Board to open and adjust the final account for construction work on section 364 of the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Thayer
Campbell	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hubbard	Morgan	Parker	Van Petten
Crowley	Humphrey	Morris	Stanford	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the payment of Peter Voorhees and James L. Voorhees for damages sustained by them in the draining of the Cayuga marshes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	O'Donnell	Thayer
Beach	Hale	Morgan	Palmer	Tweed
Cauldwell	Hubbard	Morris	Parker	Van Petten
Folger	Humphrey	Nichols	Stanford	Williams
Genet	Kennedy	Nicks		

28

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Samuel Price," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Kennedy	Nicks	Tweed
Campbell	Hale	Mattoon	Palmer	Van Petten
Cauldwell	Hubbard	Morgan	Parker	Williams
Genet	Humphrey	Morris	Stanford	

19

## FOR THE NEGATIVE.

Beach

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Chenango canal, in the village of Greene, Chenango county, and to change the location of the present bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Humphrey	Nichols	Thayer
Campbell	Graham	Kennedy	Palmer	Tweed
Cauldwell	Hale	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Stanford	Williams

20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of John Edwards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nichols	Thayer
Bradley	Genet	Humphrey	Nicks	Tweed
Campbell	Graham	Kennedy	Palmer	Van Petten
Cauldwell	Hale	Morgan	Stanford	Williams

20

## FOR THE NEGATIVE.

Beach

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the towns of Little Falls, Manheim and Danube, Herkimer county, in relation to the bridge at Fink's basin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nichols	Thayer
Bradley	Genet	Humphrey	Nicks	Tweed
Campbell	Graham	Kennedy	Palmer	Van Petten
Cauldwell	Hale	Morgan	Parker	Williams

20

## FOR THE NEGATIVE.

Beach

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of George W. Sauer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Thayer
Bradley	Genet	Humphrey	Nicks	Tweed
Campbell	Graham	Kennedy	Palmer	Van Petten
Cauldwell	Hale	Mattoon	Stanford	Williams
Creamer				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the construction of an iron bridge over the Chenango canal, in the village of Hamilton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Palmer
Bradley	Genet	Humphrey	Morris	Thayer
Campbell	Graham	Kennedy	Nichols	Van Petten
Cauldwell	Hale	Mattoon	Nicks	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Eli A. Bronson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Thayer
Bradley	Crowley	Hubbard	Nichols	Tweed
Campbell	Folger	Kennedy	Nicks	Van Petten
Cauldwell	Graham	Mattoon	Palmer	Williams

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to reopening and maintaining a ditch, situated on the east side of and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Thayer
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	Nicks	Van Petten
Cauldwell	Hale	Morgan	Palmer	Williams
Creamer	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to establish a receiver of taxes in and for the town and village of Greenbush, county of Rensselaer, and to amend the several acts in relation to said town and village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	Stanford
Beach	Genet	Kennedy	Nichols	Thayer
Bradley	Graham	Mattoon	Nicks	Van Petten
Campbell	Hale	Morgan	Palmer	Williams
Cauldwell	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the Canal Commissioners to lease the surplus waters of the Champlain canal, at the Fort Edward lock, in the village of Fort Edward, Washington county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hubbard	Morgan	Stanford
Beach	Creamer	Humphrey	Nichols	Thayer
Bradley	Graham	Kennedy	Nicks	Van Petten
Campbell	Hale	Mattoon	Palmer	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for building a bridge across the Tonawanda creek, on the Tonawanda reservation, and making an appropriation for the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Stanford
Bradley	Folger	Humphrey	Nichols	Thayer
Campbell	Graham	Kennedy	Nicks	Van Patten
Cauldwell	Hale	Mattoon	Palmer	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Canal Appraisers to examine the claims of Charles Collins and others, for damages sustained in consequence of the erection of a dam on the Mohawk river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morgan	Thayer
Bradley	Folger	Humphrey	Nicks	Van Patten
Campbell	Graham	Kennedy	Palmer	Williams
Cauldwell	Hale	Mattoon	Stanford	

## FOR THE NEGATIVE.

Beach

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of David Kohler, Charles Kohler, John Strech, John Hughson and John Simson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morgan	Stanford
Campbell	Genet	Humphrey	Morris	Van Patten
Cauldwell	Graham	Kennedy	Nichols	Williams
Creamer	Hale	Mattoon	Nicks	

## FOR THE NEGATIVE.

Beach

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Henry Bradley and Thomas McGuire, Jr.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Nicks	Tweed
Cauldwell	Genet	Mattoon	O'Donnell	Van Petten
Creamer	Graham	Morgan	Stanford	Williams
Crowley	Hale	Nichols	Thayer	

19

## FOR THE NEGATIVE.

Beach

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger, from the committee on the judiciary, reported back the Assembly bill entitled "An act explanatory of chapter 194 of the Laws of 1867, in relation to a revision of the Constitution," with amendments.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Thayer
Bradley	Folger	Kennedy	Nicks	Tweed
Campbell	Graham	Mattoon	Palmer	Van Petten
Cauldwell	Hale	Morgan	Parker	Williams
Chapman	Hubbard	Morris		

28

## FOR THE NEGATIVE.

Beach

1

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Ira Peck and Robert Robinson and sons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Humphrey	Morris	Thayer
Bradley	Graham	Kennedy	Nicks	Tweed
Campbell	Hale	Mattoon	Parker	Van Petten
Cauldwell	Hubbard	Morgan	Stanford	Williams
Creamer				

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relating to the claim of Patrick Rogers for canal damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Stanford
Bradley	Folger	Kennedy	Nichols	Tweed



Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Graham	Morgan	O'Donnell	Williams
Creamer	Hale			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confer jurisdiction on the Canal Board to adjudicate the claim of O. P. Root, on section 142 Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Humphrey	Morris	Stanford
Bradley	Genet	Kennedy	Nichols	Tweed
Campbell	Graham	Mattoon	Nicks	Van Petten
Cauldwell	Hale	Morgan	O'Donnell	Williams
Creamer	Hubbard			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a farm bridge over the Champlain canal on the farm of George F. Dudley, in the town of Fort Ann, in the county of Washington," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Morris	Thayer
Bradley	Graham	Kennedy	Nicks	Tweed
Campbell	Hale	Mattoon	O'Donnell	Van Petten
Cauldwell	Hubbard	Morgan	Stanford	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Chauncey Lane," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Graham	Mattoon	Stanford
Bradley	Creamer	Hale	Morgan	Thayer
Campbell	Folger	Humphrey	Nichols	Van Petten
Cauldwell	Genet	Kennedy	Nicks	Williams

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the several school districts and parts of districts within the corporate limits of the village of Saratoga Springs, and to establish

a free union school or schools therein,' passed April 12, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Morris	Thayer
Beach	Folger	Kennedy	Nichols	Tweed
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to facilitate the construction of the West Shore Hudson River railroad, and to authorize cities, villages and towns to subscribe to the capital stock thereof," having been announced for a third reading,

On motion of Mr. Folger and by unanimous consent, said bill was amended by adding the following as section two:

§ 2. This act shall not apply to any portion of said road or line north of Rondout, in the county of Ulster.

Change section 2 to section 3.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Parker
Beach	Folger	Hubbard	Morris	Thayer
Bradley	Genet	Humphrey	Nichols	Van Petten
Campbell	Graham	Mattoon	Nicks	Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867," having been announced for a third reading,

Mr. Tweed moved to recommit said bill to the committee on the judiciary, retaining its place in order of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the Canal Commissioners to construct a swing or draw bridge over the entrance from the Erie canal to the basin, near Rexford Flats post-office, in the town of Clifton Park, county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to designate the place of meeting of the board of supervisors of Oswego county, and to regulate the compensation of the members thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the building of a road and bridge across the stream that constitutes the division line between the towns of Huntington and Islip, in the county of Suffolk, and for the general improvement of the roads and bridges in the said towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the town of Southampton, in the county of Suffolk, to issue bonds to aid in the construction of a railroad from Sag Harbor, to connect either with the South Side railroad or the Long Island railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to authorize the ditching, draining sewerage and filling in of lands in the village of Edgewater, and of the town of Southfield," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act relating to the surrogate and county judge of the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to transfer of securities deposited by insurance companies, with the Superintendent of the Insurance Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize the town of Manlius, Onondaga county, to appropriate money for the erection of a monument to the memory of soldiers killed in the late war," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to extend the time for the collection of taxes in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act passed April 22, 1867, entitled 'An act to amend an act passed February 11, 1860, entitled 'An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams, and conferring jurisdiction over offences mentioned in said act,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to repeal the Laws of 1867, in relation to the police force of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act for the relief and support of the Brooklyn Central Dispensary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to extend Lorimer street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act in relation to building and repairing sidewalks in the village of Wellsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

Mr. Morgan moved that the Assembly bill entitled "An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased,"

be considered in the same committee of the whole with the special order set down for this morning.

Mr. Nicks moved to also include the Assembly bill entitled "An act for the relief of Frederick C. Thurber."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court."

"An act to incorporate the Peekskill Waterworks Company."

"An act to incorporate 'The West Albany Mechanics' Relief Association,' of the city of Albany."

"An act to provide floating baths in the city of New York."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7th, 1867, so far as the same relates to the village of Mount Vernon, and to confer additional powers upon the trustees thereof,' passed May 5th, 1863."

"An act to amend an act entitled 'An act to incorporate the Odd Fellows' Hall Association of the city of Buffalo,' passed March 28, 1867."

"An act relative to lands devised by Richard Ray, deceased."

"An act releasing the interest of the people of the State of New York in certain real estate to Matthias McMahon."

"An act to amend an act entitled 'An act to provide for a supply of water in the village of Cohoes,' passed April 12, 1856."

"An act releasing the interest of the people of the State of New York to certain lands and premises to Mary Wilson."

"An act to legalize the proceedings of Henry H. Hathaway, as justice of the peace of the town of Lenox, Madison county, in this State."

"An act to incorporate the Waddington Canal and Waterworks Company."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the town of Rutland to raise money by tax to build an iron bridge over Black river."

"An act to so amend section 1 of title 1 of the act to amend and consolidate the several acts in relation to the charter of the village of Penn Yan, as to include within the corporate limits of said village the new addition to the cemetery of said village."

"An act to amend the charter of the United States Warehouse Company."

"An act to provide for the drainage of the lowlands in the southeast part of the town of Cambria, in the county of Niagara."

"An act further to amend the charter of 'The Church Charity Foundation' of the county of Kings, and to extend the territorial limits thereof."

"An act to authorize the making and opening of a road or avenue in the towns of White Plains, Harrison and Rye, in the county of Westchester, to be known as and called Westchester avenue."

"An act to provide for the improvement and maintenance of the public parks of the city of Brooklyn."

"An act to open and improve Maspeth avenue, in the city of Brooklyn."

"An act to authorize the commissioners of the Central park to set apart a site for a Museum of History, Antiquities and Art."

"An act to incorporate the National Savings Bank in the city of Albany."

"An act to regulate the times of opening and closing the clerk's office of Erie county."

"An act authorizing the repaving and improving of Union street, from Columbia street to Gowanus canal, in the city of Brooklyn, and for the assessment and collection of the cost thereof, and changing the name of Bergen place to Union street."

"An act confirming the action of the common council of the city of Buffalo, in annulling assessment roll No. 907, assessors' series, confirmed September 3, 1867."

"An act to amend an act entitled 'An act to amend and reduce to one act, the several acts relating to buildings, and the keeping and storage of combustible materials in the city of New York,' passed May 4, 1866."

"An act to prevent waste of timber on the Cattaraugus, Allegany and Oil Spring Indian reservations in this State."

"An act to constitute a separate road district in the towns of Fairfield, Manheim and Little Falls, Herkimer county."

"An act releasing the interest of the State in certain lands and premises owned by Anthony Bollerman, Carl Bollerman, or Joseph Bollerman, and authorizing their heirs-at-law to hold and convey the same."

"An act to amend an act entitled 'An act to provide for building a bridge over Chambers' creek, in the towns of Newburgh and New Windsor, in the county of Orange, and for making free the present toll-bridge over Murderer's creek, in the town of New Windsor,' passed April 1, 1868."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bills entitled as follows:

"An act to extend Levington avenue, and close Hamilton square, in the city of New York."

"An act to legalize the official acts of Joshua S. Bliss, a justice of the peace."

"An act in aid of the construction of 'The Newsboys' Lodging House of the Children's Aid Society' of the city of New York, and for the relief thereof."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to enable the electors of the village of Geneseo to raise money in aid of 'The Wadsworth Normal and Training School,' located in that village," with a message that they had passed the same, with the following amendment:

Strike out all after the enacting clause, and insert the following:

SECTION 1. The tax paying electors of the village of Geneseo, in the county of Livingston, whose names appear on the last assessment roll of said village, at their next annual village meeting for the election of officers for said village, or at any special village meeting called for such purpose, in the manner provided by law, are hereby authorized to vote upon the question of raising the sum of fifteen thousand dollars by assessing the real and personal property of the inhabitants of said village, in the manner now provided by law, for the assessment of taxes in said village, for the purpose of aiding the erection and furnishing of "The Wadsworth Normal and Training School," located in said village, by virtue of an act entitled "An act in relation to the establish-

ment of a Normal and Training School in the village of Geneseo, to be called "The Wadsworth Normal and Training School," passed March 29, 1867. Said tax of fifteen thousand dollars shall not be imposed unless a majority of the tax payers of said village, representing or owning a majority of the taxable property of said village, as they appear upon the last assessment roll of said village for the year 1867, provided, however, that a person may represent any incorporated company or institution whenever thereunto authorized by a resolution of the directors of such company or institution duly passed and certified thereto by the president and secretary thereof, authorizing such representation; nor shall any part of said tax be levied or collected until the sum of forty-five thousand dollars authorized to be levied upon the town of Geneseo, together with the sum of ten thousand dollars from the estate of the late James Wadsworth, deceased, shall have been expended for the purposes designated herein.

§ 2. The treasurer of said village of Geneseo is hereby authorized to borrow money on the credit of said village and upon bonds for such amount as shall have been voted to be raised by the tax paying electors of said village, which said bonds shall bear interest at the rate of seven per cent per annum, payable annually, and which shall not be sold or disposed of at less than their par value, and shall be made due and payable at such times as the electors of said village at the election to vote upon this enactment may direct; provided that the last of said bonds shall become due and payable within fifteen years from the first day of March 1868.

§ 3. The treasurer of said village of Geneseo, before doing any act hereby authorized shall execute his bond for an amount not less than the sum authorized to be raised, with sufficient sureties, to be approved by the trustees of said village, and filed with the village clerk conditioned for the faithful discharge of his duties in relation to the moneys so raised for such Normal and Training School, to pay the same over to the person or persons legally entitled and duly account for the same as for other village moneys received by him as such village treasurer. And he is hereby directed to pay out such moneys upon the orders of the commissioners or a majority of those duly appointed for the purpose of locating building and furnishing said Normal and Training School; he shall also within ten days previous to every annual village meeting for the election of officers, notify in writing the village clerk of said village what amount of said bonds and interest will become due and payable during the next current year; he shall also from the moneys raised and in his hands for such purpose, pay off and discharge said bonds and interest on all the bonds outstanding as the same may become due and payable, and for that purpose said bonds and the interest thereon shall be made payable at the office of the treasurer of said village.

§ 4. It shall be the duty of the trustees of the village of Geneseo, to include in their annual apportionment of taxes otherwise authorized to be raised in said village; and also to include, in their annual warrant for the levy and collection of the said taxes, such amount as may be necessary to pay off and discharge the bonds issued under this act falling due during the current year, and also the interest which may become due and payable during the same time, upon all outstanding bonds. The said trustees are hereby empowered to accept the resignation of any commissioner appointed under the act of March 29, 1867, heretofore mentioned, or of any commissioner hereafter appointed by them, and to fill all vacancies in such commission which may arise from death or

resignation, such appointment to be made in writing and filed with the village clerk.

§ 5. The clerk of said village shall give immediate notice to the treasurer thereof of all changes which may be made in said commission.

§ 6. The said treasurer of the village of Geneseo is hereby authorized to loan upon interest with undoubted security all moneys received by him under the provisions of this act, or the act in relation to the establishment of a Normal and Training School in the village of Geneseo, passed March 29, 1867, until the same shall be required under the provisions of this act.

§ 7. This act shall take effect immediately.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morris	Thayer
Bradley	Folger	Humphrey	Nichols	Tweed
Cauldwell	Genet	Kennedy	Nicks	Van Petten
Chapman	Graham	Mattoon	Palmer	Williams
Creamer	Hale	Morgan	Parker	24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Thayer presented a remonstrance of citizens of the village of Greenwich, Washington county, against amending the charter of said village, which was read and referred to the committee on municipal affairs.

Mr. Graham presented a petition for an appropriation for St. Patrick's School, Newburgh, which was read and referred to the committee on finance.

Mr. Thayer presented a remonstrance against all laws authorizing the trustees of West Troy to purchase land to build an engine house, which was read and referred to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order.

After some time spent therein, the hour of 1 o'clock having arrived, the President resumed the chair and declared the Senate in recess until 4 o'clock P. M.

FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order, pending at time of recess, being the Assembly bills entitled as follows:

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons."

"An act in relation to the working of the quarry contract at the State prison at Sing Sing."

"An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased."

"An act for the relief of Frederick C. Thurber."

After some time spent therein, the President resumed the chair, and Mr. Morris, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. Williams moved that said bill be made the special order to-morrow, at 4 o'clock p. m., and that said bill be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Morris, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Morris, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of Government."

After some time spent therein, the President resumed the chair, and Mr. Morgan, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Nichols moved to recommit said bill to the committee on finance, with instructions to strike out the name of "O. B. Latham," and insert the name of "John T. Hudson."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	Nichols	
Beach	Creamer	Hubbard			8

FOR THE NEGATIVE.

Bradley	Folger	Kennedy	Norton	Thayer	
Campbell	Genet	Mattoon	Palmer	Van Petten	
Chapman	Graham	Morgan	Parker	Williams	
Crowley	Humphrey	Nicks	Stanford		19

Mr. Nichols moved to recommit said bill to the committee on finance, with instructions to strike out the name of "Hamilton Harris," and insert the name of "John T. Hudson."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cauldwell	Nichols			8
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FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nicks	Stanford	
Bradley	Folger	Humphrey	Norton	Thayer	
Campbell	Genet	Kennedy	Palmer	Van Petten	
Chapman	Graham	Mattoon	Parker	Williams	
Creamer	Hale	Morgan			28

Mr. Beach moved to recommit said bill to the committee on finance, with instructions to strike out the name of "John V. L. Pruyn," and insert the name of "Charles Bogardus."

Pending the question, the hour of 7 o'clock having arrived, the Senate adjourned.



TUESDAY, APRIL 23, 1868.

The Senate met pursuant to adjournment.]

Prayer by Rev. Mr. Heckman.

The journal of yesterday was read and approved.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867."

After some time spent therein, the President resumed the chair, and Mr. Chapman, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of the Quartermaster General's report, reported in favor of the adoption of the following resolution:

*Resolved*, That 500 copies of the Quartermaster General's report be printed for the use of the Quartermaster General's Department, and 500 copies for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to provide for payment for fire hose and gas furnished to the city of Brooklyn," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to provide for the revision of the charter of the city of Buffalo, and to appoint commissioners for that purpose," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act supplementary to an act entitled 'An act declaring the village of Adams, a valid corporation,' passed May 26, 1853," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act supplementary to chapter 439 of Laws of 1867, and to promote greater transit facilities between the counties of New York and Westchester," with power to report complete, reported the same complete, with amendments.

Mr. Genet moved that said report be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

A message from His Excellency the Governor, through his private Secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT,  
ALBANY, April 28, 1868.

*To the Senate:* I respectfully return herewith, without my approval, Senate bill No. 157, entitled "An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street, and certain other streets, roads and avenues in the city of New York."

It is proposed by this bill to confer upon certain persons named therein, and their assignees, authority to construct and operate a railroad with double or single track, "commencing at the foot of One Hundred and Thirtieth street, North river, and running thence through and along One Hundred and Thirtieth street, Manhattan street, and One Hundred and Twenty-fifth street to the Harlem river; also, from One Hundred and Twenty-fifth street through and along Third avenue to the Harlem river; thence east from Third avenue along One Hundred and Thirtieth street to Harlem river, and through and along Eleventh avenue, the Bloomingdale road, Tenth avenue and Kingsbridge road to Kingsbridge, together with the necessary crossings, turnouts, junctions, stands and switches."

I have been thus particular in reciting the territory which the grantees are authorized to appropriate to the uses specified in the bill, in order to show the magnitude of the proposed franchise, and the great importance of well considered safeguards against a diversion or abuse of the privileges conferred.

Without considering the important interests to be affected by the proposed enactment, I should feel constrained to withhold my assent from the bill upon the ground that the extent and description of the route is manifestly vague and indefinite. It will be conceded that an irrepealable grant of such important and extensive privileges should be so carefully defined and restricted as to leave no doubt as to the scope and authority conferred. It may be, that the purpose of the grantees extends only to the laying of a single or double track across the city and from a point on or adjacent to the Harlem river north to Kingsbridge, a distance of ten or twelve miles. From a careful examination, however, I am led to believe that authority is given by the bill to construct a railroad, with single or double tracks, throughout the entire length of Tenth avenue, Eleventh avenue, the Bloomingdale road, and the Kingsbridge road, fully thirty miles, as will appear from the approximate estimate of distances, which I respectfully submit:

125th street, Hudson to Harlem river, about.....	3½ miles.
130th street, Hudson river to Manhattan street, about.....	½ mile.
10th avenue, from West Twelfth street to Ft. George tract, about.....	10 miles.
11th avenue, from West Fourteenth street to Ft. George tract, about.....	10 miles.
(About 2½ miles of this avenue forms part of the road or public drive commonly known as the Boulevard.)	
Kingsbridge road from 155th street to Kingsbridge, say....	5 miles.
Bloomingdale road from Manhattan street, to 144th street, about.....	¾ mile.
Manhattan street from 125th to 130th street, about.....	1 mile.
Third avenue from 125th street to Harlem bridge, about....	¼ mile.
130th street from Third avenue to Harlem river, about.....	⅓ mile.

The extent of territory covered by the grant will at once arrest the attention as among the most remarkable of all the city railroad fran-

chises, even if it has a parallel in the history of any past legislation upon the subject.

It will be further observed that the bill requires the road to be completed to 155th street within two years, but no penalty or forfeiture is prescribed for failure in this particular, neither is the period fixed for the completion of the larger part of the road, or the termination of the grant. While the public interest may not require that the whole of the proposed roads should be constructed within two years, it will be admitted that there should be some limit, so that the enterprise and capital of other parties could be enlisted in the event of the failure or refusal of the grantees to avail themselves of all the provisions of this act, within some appropriate period.

It may not be an objection to the bill that the proposed road occupies a part of the public drive known as the Boulevard, just located at great expense, and about to be laid out and embellished by the Commissioners of the Central Park. It would seem, however, that such an avenue should not be diverted to uses never contemplated by the public authorities or owners of property upon it and adjacent to it, without the fullest opportunity for consultation with the city authorities and a reasonable concurrence of public and private interests.

Nor is it too much to say, that careful provision should be made for payment into the city treasury or a fair equivalent for privileges so extensive, and prospectively so valuable. It is true, that the bill provides that after the expiration of seven years, the grantees shall annually pay to the city of New York "five per cent of the net profits for the year ending the first day of December previous thereto," but it is apparent that the consideration named is disproportionate to the value of the grant, if indeed it is not wholly delusive. The sum mentioned can hardly be regarded as of any practical moment or of any certain amount, when it is understood that there is no limit to the expense to be annually incurred, save the discretion of the grantees, and the net profits can only be arrived at after all expenses are paid and no penalty is imposed for the neglect or refusal of the grantees to execute any requirement whatever.

A further reason why I cannot give my assent to this bill, consists in the fact the proposed grant may assume the character of an irrevocable vested right, which I regard as in violation of sound public policy. Especially, in the great and rapidly growing city of New York, it is not easy to foresee what public necessity may in the future arise to require some modification or change of the route proposed, or of some of the provisions of the bill; nor what policy in respect to the streets is best adapted to subserve the convenience of the public a few generations hence. Instead of this, as it seems to me, the most vital reservation of authority, the Legislature confers upon the parties named and their assigns, a perpetual franchise, absolute and irrevocable. I cannot conceal from myself the danger of such an unlimited and exclusive grant, conferring such extensive privileges in a city where business expansion, commercial growth and almost marvelous enterprise are the daily experience, and, under the changing conditions that are liable to result therefrom, such a grant may become highly injurious and oppressive.

It will be seen that the provisions of the bill throughout confer upon the grantees very large powers in respect to entering streets and acquiring property, and the restrictions are very few and feeble. In the second section a supervisory authority only is conceded to the common council as regards the frequency of running the cars, but with this

exception there is no restriction nor supervision whatever; while the fourth section perpetually enjoins the corporation of the city of New York from giving any assent to or allowing any other company to construct any railroad upon the streets, avenues and roads named "or from doing any other act to hinder or obstruct the construction or operation of the said railroad as herein authorized."

I have thus briefly stated the reasons which control me in refusing my assent to this bill. I regret the necessity for differing with the Legislature, yet I must believe that, upon further consideration, the objections I have made will be deemed to outweigh the advantages to result from the proposed enactment.

R. E. FENTON.

Mr. Genet moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Also, a message in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, April 28, 1868. }

*To the Senate:* After a careful examination of the provisions of the bill entitled "An act in relation to sheriffs," I am constrained to return the same without my approval. It proposes to increase largely the present fees of sheriffs, as will appear from the following comparative statement:

	Fees allowed by Revised Statutes.	Allowed by bill.
For service of process .....	\$0 50	\$1 00
For service of order of arrest .....	0 50	2 00
For approving a bond .....	0 37½	1 00
For collection of money on executions or on warrant issued by the Comptroller or any county treasurer on sums not above \$250.....	2½ p. c.	5 p. c.
On sums above \$250 and less than \$500.....	1 c. and 2½ mills.	
On \$500 and less than \$5,000.....	2½ p. c.	
On \$5,000 and upwards.....	1	
Mileage, reckoned from sheriff's office, per mile....	\$0 06	\$0 10
Return of execution .....	0 69	1 00
Inquest jury.....	1 50	3 00
Special jury.....	1 12½	3 00
Writ of possession .....	1 25	3 00
Granting liberties of jail .....	0 37½	1 00

The bill further provides that the sheriff of the county of New York shall be entitled to an addition of ten per cent. on the foregoing amounts, and confers upon him the sole and exclusive authority to execute all judgments of foreclosure and sale made in the city and county of New York.

The importance of the office of sheriff must be admitted, and it is believed to be true, that under the present tariff of fees and charges, its emolument is nearly if not quite all the counties of the State, is commensurate with its importance and responsibility. This circumstance alone is sufficient to explain the fact, that in a majority of counties the duties of this office are not only willingly assumed, but the office is earnestly sought by men of high character and qualifications. In most localities it is believed that the revenues of this office have steadily increased by reason of augmented population and the consequent enlargement of business enterprises, and perhaps the greater accumulation of

wealth. It is possibly true that the revenues of the office may not in all cases have been graduated to the changing values of commodities and the cost of living; but considering the general advance in property and the extension of business transactions, it seems altogether probable that the revenues of the office of sheriff have been correspondingly increased. It appears to me, that so long as the office is reasonably remunerative under the present tariff of fees, this is no time to propose a large advance, and that the public interests do not require the changes proposed in the bill.

If it shall prove true as predicted by many, that we are rapidly approaching a period of financial and commercial embarrassment of unusual severity and duration, while the general business interests must of necessity greatly suffer, it is certain that a calamity of this character only serves to increase the business and profits of the sheriff; and, in my judgment, it is not wise at this time to augment so largely the already quite ample reward to this class of officers.

Even if the bill could be justified on sound principles of public policy, authorizing additional compensation, I am still unable to discover any good reason for the discrimination in respect to fees and official duties which the bill creates in favor of the sheriff of the city and county of New York. If it be claimed that the magnitude of the responsibilities that attach to the office in the Metropolis entitle the sheriff to greater pay than in other counties, the operation of the present law affords the adequate remedy. It cannot be admitted that the ratio of increase should be so marked in favor of that city. It is said that the emoluments of this office in the city of New York are now not much less than \$100,000 a year; but if those figures are possibly too large, it may still be said that the rapid growth of this great commercial mart and its almost fabulous increase of business, wealth and population, must attach to the office of sheriff a very great annual compensation. It is well understood that this office in New York city has always been eagerly sought for, and it may be presumed not less because of the honor and power conferred, than for its pecuniary value; and I cannot doubt that if the income of the office should remain where it is, with the natural and legitimate increase from causes referred to, it will continue to be a leading object of personal and political attainment.

The propriety of enlarging the scope of his duties by requiring him to execute all judgments of foreclosure and sale in the city and county of New York, may well be questioned. In my judgment it is unwise. It is better and safer to leave it to the court pronouncing the judgment, to say whether a sale shall be made by a sheriff, or by an officer of its own selection, and the exercise of this discretion might depend upon a great variety of circumstances after hearing the parties concerned. I may also be permitted to suggest that by existing laws the fees of a referee or sheriff in such sales, are limited to a moderate amount, not at all depending on the value of the property to be sold. I am led to think, however, that the bill might be construed to allow the sheriff poundage on sales in foreclosure, partition and the like, as upon ordinary sales upon execution. In such case, a sale of very valuable property in the city of New York, would give the sheriff enormous fees, and subject parties to onerous exactions.

In view of these suggestions, I am of the opinion that this bill would invest the sheriff of New York in all cases with powers in the sale of real estate, which may be liable to great abuse, and this consideration alone would induce me to withhold my assent from the bill.

I am reluctant at all times to refuse my sanction to any measure

which the Legislature has approved, yet it seems to me clear that the bill should receive further consideration.

R. E. FENTON.

Mr. Murphy moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend section 31 of chapter 873 of the Laws of 1866, passed May 4, 1866, and section 32 of chapter 939, passed May 17, 1867, relating to buildings and the keeping and storage of combustible material in the city of New York," reported adversely thereto.

Mr. Creamer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the village of West Mount Vernon," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for an additional Metropolitan Fire commissioner, and to regulate and establish the pay of the members of the Metropolitan Fire department, and to provide for payment to members and employees of the Metropolitan Fire department for services rendered between August 15th, 1865, and 1st day of January, 1868,'" reported adversely thereto.

Mr. Creamer moved to disagree with the report of the committee, and that said bill be referred to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Norton	Tweed	
Cauldwell	Genet	Morris	Pierce	Williams	
Creamer	Graham	Nichols	Thayer		14

FOR THE NEGATIVE.

Banks	Crowley	Kennedy	O'Donnell	Stanford	
Campbell	Folger	Morgan	Palmer	Van Petten	
Chapman	Hale	Nicks	Parker		14

Mr. Creamer moved to lay the question agreeing to the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Norton	Tweed	
Cauldwell	Genet	Morris	Pierce	Williams	
Creamer	Graham	Nichols	Thayer		14

FOR THE NEGATIVE.

Campbell	Folger	Morgan	Palmer	Stanford	
Chapman	Hale	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell			18

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act

entitled 'An act to amend and reduce to one act the several acts relating to buildings and the keeping and storing of combustible materials in the city of New York,' passed May 4, 1866, and the act amendatory thereof, passed May 17, 1867," reported adversely thereto.

Mr. Creamer moved to lay the report of the committee upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act conferring additional corporate powers upon the village of Ellenville," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, Queens county,' passed April 5, 1867," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17th, 1866, and supplemental thereto," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Saratoga Springs, passed March 26th, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act authorizing the village of Douglass, in the counties of Delaware and Sullivan, to subscribe for and take capital stock in certain stock companies in said village," reported in favor of the passage of the same.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice of the village of Saratoga Springs,' passed May 14th, 1845, and the acts amendatory of said act, passed March 27th, 1857," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was

referred the Assembly bill entitled "An act in relation to gas light companies in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Corfu," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the Rhinebeck Gas Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the organization and government of the police force of the city of Albany," reported adversely thereto.

Mr. Banks moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Genet	Morris	Norton
Beach	Creamer	Hubbard	Nichols	Pierce
Bradley	Edwards			

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#### FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer
Chapman	Kennedy	Nicks	Parker	Van Petten
Crowley	Mattoon	O'Donnell	Stanford	Williams
Folger				

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The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 22, 1866," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to the opening of certain streets in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was



referred the Assembly bill entitled "An act to incorporate the village of Whitestone, Queens county," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the corporation of the city of Albany to reduce the width of Dewitt street between Perry and Robin streets, in the city of Albany," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the towns of Lockport and Newfane, to purchase the Long Causeway turnpike, located on the line between said towns and owned by David Maxwell," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the act amendatory thereof, passed April 12, 1866," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of Ovid, in the county of Seneca," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to provide a supply of water in the city of Buffalo," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to legalize the proceedings of the trustees and assessors of the village of Albion, in reference to widening Canal street," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to extend the time for the collection of Spring, Phila and Division streets assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hornellsville,' passed April 9, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the city of Troy,' passed March 29, 1822," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Ballston Spa,' passed April 12, 1855," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to promote the construction of elevated railways in the counties of New York and Westchester," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the bill entitled "An act to incorporate 'The Tenth Street and Cortlandt Street Ferry Railway Company, in the city of New York,'" reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for the safety of life on city railroads in the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to compel the Sixth Avenue Railroad Company, in the city of New York, to carry passengers upon its route without change of cars, and without delay or detention," reported adversely thereto.

Mr. Norton moved to recommit said bill to the committee on railroads.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act the more effectually to prevent the liability of accidents to, and for the better information of travelers upon

railway passenger cars in the State of New York," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to reduce the fare on the Sixth avenue railroad, in the city of New York," reported adversely thereto.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Morgan	Palmer	Thayer
Campbell	Genet	Nicks	Parker	Van Patten
Chapman	Graham	O'Donnell	Stanford	Williams
Crowley	Kennedy			

I.

FOR THE NEGATIVE.

Beach	Edwards	Nichols	Norton	Tweed
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I.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the trustees of the Presbyterian Church of Bedford, Westchester county, to sell and convey the real estate belonging to said church," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend 'An act to incorporate the Board of Foreign Missions of the Reformed Protestant Dutch church,' passed April 7, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Board of Publication of the Reformed Protestant Dutch Church,' passed March 28, 1856," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend 'An act to incorporate the General Synod of the Reformed Protestant Dutch Church,' passed April 7, 1819," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the German Benevolent Society of Staten Island," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies,

to which was referred the Assembly bill entitled "An act to authorize the classification of the directors of the New York Institution for the Instruction of Deaf and Dumb, and relating to said institution," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on insurance, to which was referred the Assembly bill entitled "An act to incorporate 'The National Burglar Insurance Company' of the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable incorporated rural cemeteries to acquire title to land where the owner or owners are unwilling to sell, or where the company cannot agree upon the value thereof," reported that they have made some amendments thereto, and amended the title thereof so as to read "An act to enable incorporated rural cemeteries in Schoharie county to acquire title to lands where the owner or owners are unwilling to sell, or where the cemetery association and the owners cannot agree upon the value thereof," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act authorizing an appropriation to preserve the State bridge across the Sacandaga river, in the county of Saratoga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the magistrates in the city of New York to commit orphans and friendless children to the care of the society known as the Shepherd's Fold of the Protestant Episcopal Church, in the State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of Laws of 1864, entitled 'An act to incorporate the society for the protection of destitute Roman Catholic children at the city of Buffalo,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was recommended the Assembly bill entitled "An act to incorporate the 'Bushwick Savings Bank,' of the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Graham, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Carthage Savings Bank,'" reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act passed May 9, 1867, entitled

'An act making the turnpike and bridge of the Ravenswood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the re-building of the bridge over Newtown creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Morris, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act authorizing the executor of the last will and testament of Peter Ten Broeck, deceased, to pay to the trustees of the 'Ten Broeck Free Academy' the legacy bequeathed by said will for the use of said academy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Morris, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to empower Ulster Lodge No. 59 of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to enable more fully to develop certain agricultural lands in the county of Albany," reported adversely thereto.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hale	Nicks	Parker	Williams
Creamer	Kennedy	Norton		

#### FOR THE NEGATIVE.

Banks	Beach	Nichols	
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*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Hale, from the committee on claims, to which was recommitted the Assembly bill entitled "An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal, and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act passed May 9, 1857, entitled 'An act making the turnpike and bridge of the Ravenswood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,'" reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, and to provide for relocating said highway over the lands of Isaac Williams," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Brighton, to acquire the right of way for such portions of the river road in said town, as have been wholly or partially destroyed, through any adjacent orchards or sites of fruit trees, by an assessment of damages to the owners, in the same manner as in other cases," reported in favor of the passage of the same.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate a road in the town of Palatine, Montgomery county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to define the powers and duties of commissioners of highways in the town of Cortlandt, in the county of Westchester, in relation to laying out and constructing new roads, and the construction of bridges in said town, and prescribing the mode of assessing and paying the costs and damages therefor," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal chapter 270 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 12, 1859," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recomitted the Assembly bill entitled "An act to provide for widening the Coney Island plankroad, in the county of Kings, and for the subsequent management thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to vest certain real estate belonging to the State, in the town of Marlborough, Ulster county, and to establish a public highway," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing a special town meeting in the town of Salina, Onondaga county, for the purpose of raising an increased amount of money for the support of roads in said town," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act supplementary to an act passed April 19, 1867, to provide for re-building a bridge in the town of Lorraine, Jefferson county, and for raising money by tax for that purpose, upon the town of Lorraine, in said county," reported in favor of the passage of the same.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal section 3 of chapter 439 of the Laws of 1867, entitled 'An act to extend the charter and increase the capital stock of the 'Smithsboro and Nichols Bridge Company,' passed April 19, 1867," reported in favor of the passage of the same.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains Road,' and also a portion of First street, in the village of Mount Vernon," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed April 23, 1867," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to more particularly define the duties of overseers of highways, and their appointment, in conformity with the provisions of chapter 522 of Laws of 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the commissioner of highways of the town of Deerfield to borrow money to pay indebtedness," reported in favor of the passage of the same.

On motion of Mr. Campbell and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the construction of a free bridge over the Seneca river, in the towns of Mentz and Conquest, in Cayuga county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to make the office of supervisor of Erie county a salaried office, and to regulate the salaries of clerk and sergeant-at-arms of said board of supervisors of Erie county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the relief of James Howard," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to legalize certain bonds of the town of Huron, Wayne county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Williams, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to authorize the Society of Agriculture and Horticulture of Westchester county, to mortgage, lease or sell real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Pierce moved to take from the table the question agreeing to the report of the committee on the judiciary adverse to the bill entitled "An act to incorporate the People's Mutual Warehousing and Security Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Pierce moved that said bill be recommitted to the committee on the judiciary, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the title of the 'Excelsior Fire Insurance Company' to certain real estate in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were



suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to confirm the title of certain persons to real estate," with power to report complete, reported that they have made an amendment to the title by adding thereto the words: "questioned by reason of the alienism of former owners," and as amended, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act confirming a conveyance of real estate to Bridget Henry, and authorizing her to hold real estate," reported in favor of the passage of the same, with amendments.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the elections of trustees and other officers of the village of Cary, Genesee county," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State to a certain lot in the village of Clyde, to Ellen Gaffney and others," reported in favor of the passage of the same, with amendments.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the Law Library in the city of New York," reported in favor of the passage of the same.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize certain acts of the town meeting held in the town of Stafford, in the county of Genesee, March 3, 1868," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relating to the recording of sheriff's certificates upon the sale of real estate in the county of Niagara," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act confirming the acts of William R. Crandall, a constable of the town of Marshall, Oneida county," reported in favor of the passage of the same, with amendments.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State of New York to the heirs of William Harlan, deceased, and to enable them to take, hold, and to dispose of certain real estate," reported that they have made some amendments thereto, and amended the title by inserting before the word "heirs" the words "widow and," and as amended, recommend its passage.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act appointing Jesse P. Haines, Elijah C. Odell and Moses C. Crapsey, commissioners for draining certain lands in the town and city of Lockport, in the county of Niagara," reported in favor of the passage of the same, with amendments.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee of the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts and proceedings of Abraham Davids, as justice of the peace of the town of Parish, county of Oswego," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release certain escheated lands to Margaret Zachariassen," reported in favor of the passage of the same, with amendments.

On motion of Mr. Folger and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the 'Ellsworth Social Club,' in the city of Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act conferring upon the Brooklyn Patent Pressed Brick Company power to hold real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the acts and proceedings of Samuel Hawks, as justice of the peace of the town of Andes, county of Delaware," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release the title of the people of the State of New York to certain lands in the town of Gates, county of Monroe, to Joanna Redman," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommended the Assembly bill entitled "An act to amend section 3 of an act entitled 'An act to consolidate common school districts Nos. 3, 4 and 5, in the village of Huntington, Suffolk county,' passed April 13th, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the act amendatory thereof, entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed March 31, 1857," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester."

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to incorporate the New York Health and Accident Insurance Company," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Parker, from the committee on insurance, to which was referred the bill entitled "An act to incorporate the National Burglar Insurance Company of the city of New York," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868, inclusive," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Stanford, from a majority of the committee on canals, to which was referred the bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Mattoon dissented, and requested that it might be so entered upon the journal.

Mr. Stanford, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to incorporate the New York Health and Accident Insurance Company," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to incorporate the Cornwall Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same over the Hudson river, at a point or points at or below Butter Hill, in the Highlands, to some proper point opposite thereto on the east side of said river," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommended the Assembly bill entitled "An act for the improvement of the navigation of Big Chazy river," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommended the bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Humphrey, from the committee on commerce and navigation, to which was recommended the Assembly bill entitled "An act relative to immigrants and other passengers arriving at or departing from the port of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Morris	Parker	Tweed
Campbell	Hale	Nicks	Stanford	Van Potten
Chapman	Kennedy	O'Donnell	Thayer	Williams
Crowley	Morgan	Palmer		

FOR THE NEGATIVE.

Beach	Cauldwell	Edwards	Graham	Nichols	
Bradley	Creamer	Genet	Mattoon	Norton	10

Mr. O'Donnell moved to lay all orders of business upon the table, for the purpose of taking the question upon agreeing to the report of the committee of the whole upon the Assembly bill entitled "An act making appropriations for the support of government."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. O'Donnell moved that said bill be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill having been announced for a third reading,

Mr. Nichols moved to recommit said bill to the committee on finance, with instructions to insert as one of the commissioners for building a new capitol, the name of "John T. Hudson."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Morris	Pierce	
Cauldwell	Edwards	Hubbard	Nichols	Twced	10

FOR THE NEGATIVE.

Banks	Crowley	Mattoon	O'Donnell	Stanford	
Campbell	Folger	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	11

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	O'Donnell	Stanford	
Campbell	Folger	Kennedy	Palmer	Thayer	
Cauldwell	Genet	Mattoon	Parker	Twced	
Creamer	Graham	Morgan	Pierce	Van Petten	3
Crowley	Hale	Morris			

FOR THE NEGATIVE.

Nichols	Nicks				2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Tweed moved to take from the table the orders of business laid thereon by motion of Mr. O'Donnell.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Genet	Nichols	Pierce	
Bradley	Crowley	Kennedy	Norton	Thayer	
Campbell	Edwards	Morris	O'Donnell	Twced	
Cauldwell	Folger				17

FOR THE NEGATIVE.

Beach	Hale	Morgan	Parker	Van Petten	
Chapman	Hubbard	Nicks	Stanford	Williams	
Graham	Mattoon	Palmer			15

The Assembly sent for concurrence the bills entitled as follows:

"An act to repeal chapter 776 of the Laws of 1865, passed June 16, 1865, entitled 'An act to except the town of Moriah, in Essex county, from the operation of chapter 626 of the Laws of 1853, and chapter 495 of the Laws of 1855,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to regulate the rates of toll on the road and bridge of the Williamsburgh and Bushwick North Road, Turnpike and Bridge Com-

pany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the Port Richmond and Bergen Point Ferry Company to hold real estate, to increase its capital stock, and to fix rates of ferriage, and to increase its number of directors and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to provide payment to the Seventh Regiment National Guard, of the annual appropriation due under section 183 of the Military Code, for the years 1862, 1863, 1864 and 1865," which was read the first time, and by unanimous consent was also read the second time, and by unanimous consent referred to the committee on militia and public defence, to report complete.

"An act for the relief of the Central Plankroad Company, situated in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and by unanimous consent referred to the committee on roads and bridges, to report complete.

The Assembly returned the bill entitled "An act to amend the Metropolitan Police Law concerning the Police Life Insurance Fund," with a message that they had passed the same, with the following amendments:

Insert as section 3, the following:

§ 3. The pay of the captains of the Metropolitan police shall be twenty-five hundred dollars, and the pay of the doormen shall be one thousand dollars per annum, from and after the passage of this act.

Change section 3 to section 4.

Amend the title by adding thereto the words: "and to regulate the pay of captains and doormen of the Metropolitan district."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Cauldwell	Genet	Hubbard	Tweed	
Bradley	Creamer	Graham	Norton		9

#### FOR THE NEGATIVE.

Banks	Crowley	Hale	Morris	Parker	
Campbell	Edwards	Kennedy	O'Donnell	Stanford	
Chapman	Folger	Morgan	Palmer	Van Petton	15

Mr. Crowley moved that a committee of conference be appointed on the part of the Senate, and a like committee requested on the part of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. Crowley, Hale and Genet, were appointed as such committee on the part of the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments, and have appointed a committee of conference, and request a like committee on their part.

The Assembly returned the bill entitled "An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company," with a message that they had passed the same, with the following amendments:

Amend section 2 by adding at the end thereof the following: "or to

give validity to such consents unless the same are obtained in pursuance of, and are valid by the act hereby amended."

Insert as sections 3 and 4, the following:

§ 3. The supervisor of the town of Stockton, in the county of Chautauqua, shall not be required to issue the bonds authorized by a majority of the taxable inhabitants of said town, in accordance with the provisions of chapter 672 of the Laws of 1867, until the iron shall be laid on said road from the village of Dunkirk, New York, to the State line of Pennsylvania.

§ 4. The supervisor of the town of Carroll, in said county of Chautauqua, shall not be required to issue said bonds until the said railroad is graded through said town of Carroll.

Change section 3 to section 5.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Pierce	
Bradley	Edwards	Kennedy	Nichols	Tweed	
Campbell	Genet	Mattoon	Palmer	Van Petten	
Cauldwell	Graham	Morgan	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Parker moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Palmer	Van Petten	
Chapman	Graham	O'Donnell	Parker	Williams	
Creamer	Hale				12

FOR THE NEGATIVE.

Campbell	Folger	Hubbard	Morgan	Pierce	
Cauldwell	Genet	Kennedy	Norton	Tweed	
Crowley					11

The President then put the question whether the Senate would agree to the motion to lay the order of business of " notices of bills " upon the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bradley	Graham	O'Donnell	Pierce	Thayer	
Chapman	Hale	Palmer	Stanford	Van Petten	
Edwards	Mattoon				12

FOR THE NEGATIVE.

Beach	Crowley	Hubbard	Morris	Norton	
Campbell	Folger	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Morgan			13

Mr. Folger moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Folger	Genet	Graham	Norton	Pierce	5
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FOR THE NEGATIVE.

Bradley	Edwards	Morgan	O'Donnell	Thayer	
Campbell	Hale	Morris	Palmer	Tweed	

Cauldwell	Hubbard	Murphy	Parker	Van Petten	
Chapman	Kennedy	Nichols	Stanford	Williams	
Creamer	Mattoon				22

Mr. Folger moved that the Senate take a recess until 4 o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Kennedy	Norton	
Beach	Crowley	Graham	Mattoon	Palmer	
Bradley	Edwards	Hale	Nichols	Stanford	
Campbell	Folger	Hubbard	Nicks	Thayer	
Cauldwell					21

FOR THE NEGATIVE.

Creamer	Morris	Pierce	Van Petten	Williams	
Morgan	O'Donnell				7

Whereupon, the Senate took a recess until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to.

Mr. Tweed moved that said bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill having been announced for a third reading,

Mr. Hale moved to recommit said bill to the committee on State prisons, with instructions to strike out all but the 8th and 10th sections thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Mattoon	Nichols	Pierce	
Bradley	Graham	Morris	Norton	Stanford	
Cauldwell	Hale	Murphy	Parker	Tweed	
Edwards	Kennedy				17

FOR THE NEGATIVE.

Banks	Chapman	Morgan	O'Donnell	Van Petten	
Campbell	Crowley	Nicks	Thayer	Williams	10

The Assembly bill entitled "An act to amend chapter 554 of the Laws of 1865, entitled 'An act to establish a Capital Police district, and to provide for the government thereof,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer
Beach	Graham	Morgan	Parker	Tweed



Campbell	Hubbard	Morris	Pierce	Van Patten
Cauldwell	Kennedy	Nichols	Stanford	Williams
Edwards				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, into one municipal government, and to incorporate the same,' passed April 17, 1854, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Parker
Beach	Crowley	Hale	Murphy	Pierce
Bradley	Edwards	Hubbard	Nichols	Stanford
Campbell	Genet	Kennedy	Nicks	Van Patten
Cauldwell				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Morris	Tweed
Bradley	Genet	Mattoon	Nicks	Van Patten
Cauldwell	Graham	Morgan	Parker	Williams
Creamer	Hubbard			

## FOR THE NEGATIVE.

Beach	Chapman	Folger	Hale	Stanford
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the working of the quarry contract at the State prison at Sing Sing," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Nichols	Thayer
Bradley	Folger	Hubbard	Nicks	Tweed
Campbell	Genet	Kennedy	Parker	Van Patten
Cauldwell	Graham	Morris	Pierce	Williams
Chapman				

## FOR THE NEGATIVE.

Beach	Crowley	Morgan	O'Donnell	Stanford
Creamer				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The New York and Brooklyn Iron Tubular Tunnel Company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morris	Thayer
Beach	Creamer	Hubbard	Nicks	Tweed
Bradley	Edwards	Mattoon	Parker	Williams
Campbell	Genet	Morgan	Pierce	

19

## FOR THE NEGATIVE.

Folger	Kennedy	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford
Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Graham	Mattoon	Palmer	Tweed
Cauldwell	Hale	Morgan	Parker	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of Frederick C. Thurber," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer
Bradley	Crowley	Kennedy	Nicks	Tweed
Campbell	Edwards	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Stanford	Williams
Chapman	Hale	Morris		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to a State ditch in the towns of Ments and Montezuma, Cayuga county," having been announced for a third reading,

Mr. Williams moved to recommit said bill to the committee on canals.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Mattcon, from the committee on canals, reported back said bill, with amendments.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Stanford
Bradley	Creamer	Morgan	Norton	Van Patten
Campbell	Edwards	Morris	Parker	Williams
Cauldwell	Genet	Murphy	Pierce	

FOR THE NEGATIVE.

Beach

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Nicks, from the committee on roads and bridges, to which was recommended the bill entitled "An act to amend an act passed May 9, 1867, entitled 'An act making the turnpike and bridge of the Ravenwood, Hallett's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same, and for the rebuilding of the bridge over Newtown creek,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Parker
Beach	Creamer	Kennedy	Nichols	Pierce
Bradley	Edwards	Mattoon	Nicks	Van Patten
Campbell	Folger	Morgan	Norton	Williams
Cauldwell	Hale	Morris		

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to authorize certain towns in the counties of Onondaga and Oswego, to issue bonds in aid of the Syracuse Northern railroad," with a message that they had passed the same, with the following amendments:

Section 1, line 3, engrossed bill, after the word "Onondaga" strike out the word "and." Same line and section, after word "Oswego" insert "and Jefferson."

Amend the title so as to read:

"An act to authorize certain towns in the counties of Onondaga and Oswego and Jefferson, to issue bonds in aid of the Syracuse Northern railroad."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morgan	Pierce
Beach	Creamer	Hubbard	Morris	Stanford
Bradley	Edwards	Kennedy	Nicks	Van Petten
Campbell	Genet	Mattoon	Norton	Williams
Cauldwell	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend the act entitled 'An act to improve the Gowanus canal, in the city of Brooklyn,' passed April 19, 1866," with a message that they had passed the same, with the following amendments:

Section 1, line 5, engrossed bill, strike out the word "raise" and insert the words "to rebuild whenever necessary." Also insert after the word canal, same line, the words "and to raise the same." Strike out all of said section after the word "bridges" in line 12, to the end of said section.

Insert as sections 2 and 3, the following:

§ 2. Any moneys heretofore appropriated, raised, collected or set apart for the re-building, altering or repairing of said bridges or any of them, the comptroller of the said city is hereby authorized and directed to transfer to the credit of said commission, which moneys shall be drawn or expended by said commission for the purposes of carrying out the provisions of this act as they may deem necessary.

§ 3. The joint board of aldermen and supervisors of the city of Brooklyn, are hereby authorized and directed to provide for the payment of any additional cost of expense of rebuilding, altering or raising, regulating and paving of the streets leading thereto, whenever required, in the same manner as they are now required by chapter 884 of the Laws of 1867, to provide for the payment of the expense of keeping said bridges in repair, and of the management of the same.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE

Banks	Chapman	Hale	Morgan	Stanford
Beach	Creamer	Hubbard	Morris	Thayer
Bradley	Edwards	Kennedy	Parker	Van Petten
Campbell	Genet	Mattoon	Pierce	Williams
Cauldwell	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the New York Elevator Company," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 22, engrossed bill, insert after the word "Stevenson" the following: "James Watson, William C. Higgins, Edward C. Byrne, Patrick G. Maloney, Henry W. Schmidt, John J. Walsh, Arthur N. Benson."

Section 9, line 23, after the word "been" insert the words "if he had been."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morgan	Stanford
Campbell	Edwards	Hubbard	Parker	Thayer
Cauldwell	Folger	Kennedy	Pierce	Van Petten
Chapman	Genet	Mattoon		

18

## FOR THE NEGATIVE.

Banks	Graham	Nicks	Norton	Williams
Crowley				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 22, 1862, designated as the Military Code of the State of New York," with a message that they had non-concurred in the amendments made thereto by the Senate, and ask that a committee of conference be appointed thereon on the part of the Senate, and had appointed as such committee on the part of the House, Messrs. Flack, Hartman, Raber, Hasbrouck and Wells.

Mr. Kennedy moved that the Senate recede from its amendments to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Hale	Mattoon	Thayer
Cauldwell	Graham	Kennedy	Stanford	Van Petten

10

## FOR THE NEGATIVE.

Banks	Edwards	Morgan	Nichols	Parker
Bradley	Folger	Morris	Nicks	Tweed
Chapman	Hubbard	Murphy	Norton	Williams

16

Mr. Beach moved that a conference committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to incorporate the Mutual Benefit Savings Bank, in the city of New York," with a message that they had passed the same, with the following amendments:

Section 1, line 4, engrossed bill, insert after the word "Nelson" the names following:

"Joseph Dowling, John B. Trainer, John E. Cronley, Patrick Geraghty, Owen W. Brennan, Thomas Coman, Henry Hughes, Edward Henry, Richard Fields, Joseph Holland, William Neales, Eliphalet A. Thurston."

Same section, line 10, after the word "the" insert the words "Seventh Senatorial district of the."

Line 17 of section 4, engrossed bill, insert after the word "act" the words "and it shall be requisite for a majority vote of all the trustees."

Mr. Norton moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Parker moved that the Senate do now resolve itself into a committee of the whole upon the Assembly bill entitled as follows:

"An act to incorporate the Arcade Underground Railway Company, and to provide for the construction of an Arcade Underground railway in the city of New York."

Mr. Chapman moved that in debate no Senator be allowed to speak over five minutes.

The President put the question whether the Senate would agree to said motion of Mr. Chapman, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Graham	Nicks	Stanford	Van Petten	
Creamer	Hale	Parker	Thayer	Williams	
Edwards	Mattoon				12

## FOR THE NEGATIVE.

Banks	Cauldwell	Hubbard	Morris	Norton	
Beach	Crowley	Kennedy	Murphy	O'Donnell	
Bradley	Folger	Morgan	Nichols	Tweed	
Campbell	Genet				17

The President then put the question whether the Senate would agree to said motion of Mr. Parker, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Parker	
Beach	Graham	Morgan	Norton	Stanford	
Campbell	Hale	Morris	O'Donnell	Van Petten	
Chapman	Kennedy	Nichols	Palmer	Williams	
Edwards					21

## FOR THE NEGATIVE.

Bradley	Cauldwell	Folger	Tweed		4
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The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act to incorporate the Arcade Underground Railway Company, and to provide for the construction of an Arcade Underground railway in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported in favor of the passage of of said bill.

Mr. Genet moved to amend the report of the committee by inserting after the words "line of said railway" the words "between Wall street and Thirty-fourth street."

Mr. Genet moved to lay his motion upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Cauldwell	Folger	Hubbard	Pierce	
Campbell	Edwards	Genet	Norton	Thayer	
					10

## FOR THE NEGATIVE.

Beach	Hale	Morgan	Nicks	Parker	
Chapman	Humphrey	Morris	O'Donnell	Stanford	
Graham	Kennedy	Nichols	Palmer	Van Petten	15

The President then put the question whether the Senate would agree to said motion of Mr. Genet to amend the report of the committee of the whole, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Crowley	Genet	Murphy	Pierce	
Campbell	Edwards	Hubbard	Norton	Thayer	
Cauldwell	Folger				12

## FOR THE NEGATIVE.

Beach	Humphrey	Morgan	Nicks	Parker
Chapman	Kennedy	Morris	O'Donnell	Stanford
Graham	Mattoon	Nichols	Palmer	Van Patten
Hale				

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Morgan	O'Donnell	Stanford
Chapman	Humphrey	Morris	Palmer	Van Patten
Edwards	Kennedy	Nichols	Parker	Williams
Graham	Mattoon	Nicks		

## FOR THE NEGATIVE.

Bradley	Crowley	Genet	Murphy	Pierce
Campbell	Folger	Hubbard	Norton	Thayer
Cauldwell				

*Ordered*, That said bill be read a third time.

The hour of 7 o'clock having arrived, the Senate adjourned.

## WEDNESDAY, APRIL 29, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Elmendorf.

The journal of yesterday was read and approved.

By unanimous consent, Mr. Parker asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to the agencies of such companies,' passed June 24, 1853; passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill ordered engrossed for a third reading.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Ship Owners' Association of the State of New York."

"An act to provide for payment for fire hose and gas furnished to the city of Brooklyn."

Pursuant to the 9th joint rule, the Senate proceeded to the third reading of bills.

The Assembly bill entitled "An act to incorporate the Rhinebeck Gas Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Stanford
Bradley	Folger	Kennedy	Norton	Thayer
Campbell	Genet	Mattoon	Parker	Tweed
Cauldwell	Graham	Morgan		

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Cambridge,' passed April 16, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Stanford
Bradley	Genet	Mattoon	Norton	Thayer
Campbell	Graham	Morgan	O'Donnell	Tweed
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Corfu," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Parker
Beach	Folger	Hubbard	Murphy	Stanford
Campbell	Genet	Kennedy	Nichols	Thayer
Cauldwell	Graham	Mattoon	Norton	Tweed
Crowley				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1866, and the acts amendatory thereof, passed April 12, 1866," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Pierce
Beach	Edwards	Kennedy	Murphy	Stanford
Bradley	Folger	Mattoon	Nichols	Thayer
Campbell	Graham	Morgan	Norton	Tweed
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the village of Ovid, in the county of Seneca," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:



## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morgan	Pierce
Beach	Crowley	Hubbard	Morris	Stanford
Bradley	Edwards	Kennedy	Nichols	Thayer
Campbell	Folger	Mattoon	Norton	Tweed

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to afford the same facilities to passengers or property transported by steamboat on the Hudson river, as is afforded by railroad," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Parker
Beach	Folger	Mattoon	Nicks	Pierce
Bradley	Genet	Morgan	Norton	Stanford
Campbell	Graham	Morris	O'Donnell	Tweed
Cauldwell	Hubbard	Murphy		

## FOR THE NEGATIVE.

Thayer

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for a supply of water in the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Parker
Beach	Folger	Kennedy	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Stanford
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	O'Donnell	Tweed
Crowley				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the proceedings of the trustees and assessors of the village of Albion, in reference to widening Canal street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Murphy	Parker
Beach	Edwards	Kennedy	Nichols	Stanford

Bradley	Genet	Mattoon	Nicks	Thayer	
Campbell	Graham	Morgan	Norton	Tweed	
Cauldwell	Hale				22

## FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the village of Mexico, in Oswego county, to raise money for certain purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce	
Beach	Folger	Kennedy	Nicks	Stanford	
Bradley	Genet	Mattoon	Norton	Thayer	
Campbell	Graham	Morgan	O'Donnell	Tweed	
Crowley	Hale	Morris	Parker		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the village of Ballston Spa,' passed April 12, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Stanford	
Beach	Folger	Morgan	Palmer	Thayer	
Campbell	Graham	Nichols	Parker	Tweed	
Creamer	Hubbard	Nicks	Pierce	Van Petten	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the city of Troy,' passed March 29, 1822," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	• Crowley	Hubbard	Nichols	Pierce	
Bradley	Edwards	Kennedy	Nicks	Stanford	
Campbell	Folger	Mattoon	Norton	Thayer	
Cauldwell	Genet	Morgan	O'Donnell	Tweed	
Creamer	Hale	Morris	Parker	Van Petten	25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Hurlersville,' passed April 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morgan	O'Donnell
Bradley	Folger	Hubbard	Nichols	Parker
Campbell	Genet	Kennedy	Nicks	Pierce
Cauldwell	Graham	Mattoon	Norton	Tweed
Chapman				

21

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Norton
Beach	Folger	Hubbard	Morris	Parker
Campbell	Genet	Kennedy	Nichols	Stanford
Creamer	Graham	Mattoon	Nicks	Thayer
Crowley				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to provide for payment for fire hose furnished to the fire department of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Pierce
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Genet	Murphy	Palmer	Van Petten
Chapman	Graham	Nichols	Parker	

21

## FOR THE NEGATIVE.

Creamer

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing and requiring the town of Franklinville, in the county of Cattaraugus, to purchase and acquire title in said town for Buffalo and Washington Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	O'Donnell	Stanford
Bradley	Edwards	Mattoon	Palmer	Thayer
Campbell	Genet	Morgan	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Chapman	Hale	Norton		

28

## FOR THE NEGATIVE.

Banks	Folger	
-------	--------	--

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the 'Bushwick Savings Bank,' of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Stanford
Bradley	Edwards	Mattoon	Norton	Thayer
Campbell	Genet	Morgan	Parker	Tweed
Cauldwell	Graham	Murphy	Pierce	Van Petten
Chapman	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Inebriate's Home for Kings county,' passed May 9, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Murphy	Stanford
Beach	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Mattoon	Parker	Tweed
Campbell	Genet	Morgan	Pierce	Van Petten
Cauldwell	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the executor of the last will and testament of Peter Ten Broeck, deceased, to pay to the trustees of the 'Ten Broeck Free Academy' the legacy bequeathed by said will for the use of said academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nicks	Pierce
Bradley	Genet	Kennedy	Norton	Stanford
Campbell	Graham	Mattoon	O'Donnell	Tweed
Cauldwell	Hale	Murphy	Parker	Van Petten
Creamer				

## FOR THE NEGATIVE.

Folger                      Thayer

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to a certain highway and certain highway taxes in the county of Hamilton,' passed April 22, 1867, and to provide for relocating said highway over the lands of Isaac Williams," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Pierce
Beach	Creamer	Hale	Nicks	Stanford
Bradley	Edwards	Hubbard	Norton	Thayer
Campbell	Folger	Morgan	O'Donnell	Tweed
Cauldwell	Genet	Murphy	Parker	Van Petten

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black river canal and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	O'Donnell	Stanford
Beach	Hale	Morgan	Palmer	Thayer
Campbell	Hubbard	Nichols	Parker	Tweed
Cauldwell	Kennedy	Norton	Pierce	Van Petten
Edwards				

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to regulate a road in the town of Palatine, Montgomery county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Nichols	Pierce
Bradley	Edwards	Hubbard	Nicks	Thayer
Campbell	Folger	Kennedy	Norton	Tweed

Cauldwell	Genet	Mattoon	O'Donnell	Van Petten	23
Creamer	Graham	Morgan			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for widening the Coney Island plankroad, in the county of Kings, and for the subsequent management thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Norton	Pierce	
Campbell	Graham	Morgan	O'Donnell	Stanford	
Cauldwell	Hale	Murphy	Palmer	Thayer	
Edwards	Hubbard	Nichols	Parker	Van Petten	
Folger	Kennedy	Nicks			23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to regulate, grade, widen, macadamize and improve a public highway in the towns of East Chester and Westchester, in the county of Westchester, commonly called the 'Old White Plains Road' and also a portion of First street, in the village of Mount Vernon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce	
Beach	Edwards	Hubbard	Nicks	Stanford	
Bradley	Folger	Kennedy	Norton	Thayer	
Campbell	Genet	Mattoon	Palmer	Van Petten	
Cauldwell	Graham	Morgan	Parker		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to make the office of supervisor of Erie county a salaried office, and to regulate the salaries of clerk and sergeant-at-arms of said board of supervisors of Erie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Pierce	
Beach	Edwards	Morgan	O'Donnell	Stanford	
Bradley	Graham	Murphy	Palmer	Thayer	
Campbell	Hale	Nichols	Parker	Van Petten	
Cauldwell	Hubbard	Nicks			23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Society of Agriculture and Horticulture of Westchester county, to mortgage, lease or sell real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	Norton	Thayer
Cauldwell	Graham	Morgan	O'Donnell	Van Petten
Creamer	Hale	Murphy	Parker	

24

## FOR THE NEGATIVE.

Campbell Palmer

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to confirm the title of certain persons to real estate, questioned by reason of the alienism of former owners," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Parker
Bradley	Folger	Kennedy	Nichols	Pierce
Campbell	Genet	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Norton	Thayer
Creamer	Hale	Morris	Palmer	Van Petten
Crowley				

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act conferring upon the Brooklyn Patent Pressed Brick Company power to hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Murphy	Pierce
Bradley	Graham	Morgan	Nicks	Stanford
Chapman	Hale	Morris	O'Donnell	Thayer
Creamer	Hubbard			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the acts of Daniel Hawks, as justice of the peace of the town of Andes, county of Delaware," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Bradley	Folger	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Genet	
-------	--

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the title of the people of the State of New York to certain lands in the town of Gates, county of Monroe, to Joanna Redman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Parker
Bradley	Edwards	Mattoon	Nicks	Stanford
Campbell	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Graham	Morris	Palmer	Van Petten
Creamer	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend section 3 of an act entitled 'An act to consolidate common school districts Nos. 3, 4 and 5, in the village of Huntington, Suffolk county,' passed April 13, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Kennedy	Nichols	Parker
Bradley	Edwards	Mattoon	Nicks	Stanford
Campbell	Folger	Morgan	O'Donnell	Thayer
Cauldwell	Genet	Morris	Palmer	Van Petten
Creamer	Hubbard	Murphy		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing an appropriation to preserve the State bridge across the Sacandaga river, in the county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:



## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Pierce
Beach	Crowley	Mattoon	O'Donnell	Stanford
Bradley	Edwards	Morgan	Parker	Thayer
Campbell	Folger	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868, inclusive," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Bradley	Edwards	Kennedy	Nichols	Stanford
Campbell	Folger	Mattoon	Nicks	Thayer
Cauldwell	Graham	Morgan	Palmer	Van Petten
Chapman	Hale	Morris		

23

## FOR THE NEGATIVE.

Beach	Parker
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the improvement of the navigation of Big Chazy river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Nichols	Pierce
Bradley	Edwards	Mattoon	O'Donnell	Stanford
Campbell	Genet	Morgan	Palmer	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hale			

23

## FOR THE NEGATIVE.

Chapman	Folger
---------	--------

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853; passed April 24, 1863," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nicks	Thayer
Beach	Creamer	Mattoon	Norton	Tweed

<b>Bradley</b>	<b>Edwards</b>	<b>Morgan</b>	<b>Parker</b>	<b>Van Petten</b>
<b>Campbell</b>	<b>Folger</b>	<b>Morris</b>	<b>Pierce</b>	<b>Williams</b>
<b>Cauldwell</b>	<b>Hale</b>	<b>Murphy</b>	<b>Stanford</b>	<b>24</b>

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

The hour of one o'clock having arrived, the Senate took a recess until 4 o'clock p. m.

#### FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly returned the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1868," with a message that they had non-concurred in the amendments made thereto by the Senate, and ask that a committee of conference be appointed by the Senate, and had appointed as such committee on the part of the Assembly, Messrs. Bentley, Howard, Murphy, Flack and Eaton.

Mr. Stanford moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. Stanford, Kennedy and Nichols, were appointed as such committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate consent to a committee of conference.

The Assembly returned the bill entitled "An act making appropriation for the support of government," with a message that they had non-concurred in the amendments of the Senate thereto, and request a committee of conference thereon, and had appointed as such committee on the part of the Assembly, Messrs. J. L. Flagg, Jacobs, Bentley, Kiernan and Selkreg.

Mr. O'Donnell moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. O'Donnell, Folger and Murphy, were appointed as such committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate consent to a committee of conference.

The Assembly returned the bill entitled "An act to regulate the use of certain docks in the city of Albany," with a message that they had passed the same, with the following amendments:

Section 2, line 4, engrossed bill, strike out the word "forthwith" after the word "by." Same line and section, after the word "removed" insert the words "two hours previous to the expected arrival of any steamboat belonging to said lessors."

Mr. Banks moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the mem-

bers elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nicks	Parker
Bradley	Crowley	Morgan	Norton	Thayer
Campbell	Edwards	Morris	O'Donnell	Tweed
Cauldwell	Folger	Nichols	Palmer	Van Petten
Chapman	Genet			

22

## FOR THE NEGATIVE.

Hale	Mattoon	Stanford	3
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly sent for concurrence the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the South Brooklyn Savings Institution,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the return of State and county regimental flags to State and county officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

"An act to authorize the trustees of the Methodist Episcopal Church in the town of Cicero, Onondaga county, to sell and dispose of the parsonage property belonging to the society, and to hold the avails thereof subject to the order of the regularly constituted financial officer of the church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to repeal chapter 454 of the laws of 1863, entitled 'An act in relation to non-resident highway taxes upon certain lands in the counties of Essex and Hamilton,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the 'Women's Aid Association' of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to incorporate 'The New York Real Estate Exchange,' passed May 9, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to legalize the acts of Francis Hamilton, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the promotion of the public health by draining certain swamp lands in the town of Northfield, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the Canal Commissioners to construct embankments and walls on the west bank of the outlet of the DeRuyter reservoir, in the town of Fabius," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in

township No. 14, in the town of Johnsburgh, to the Carthage road, near the head of Long Lake, in the county of Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to incorporate the West Farms Fire department,' passed April 17, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the East Side Association of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the street commissioner of the city of New York to make a contract for the filling of certain sunken lots on the southerly side of Manhattan street, east and west of Tenth avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to amend an act entitled 'An act to provide for the drainage of the low lands in the north part of the town of Amherst, in the county of Erie,' passed April 12, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the 'Cosmos Life Policy Trust Company' of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to authorize the town of Canisteo to raise money for the benefit of Canisteo academy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to authorize the boards of supervisors of the counties of Oswego and Onondaga, to raise money to complete the payments for the construction of a bridge across the Oneida river, known as Schroepfel's bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the town of Argyle, in the county of Washington, to raise money by tax for the erection of a court house and jail therein, for said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to provide for the more effectual protection of fruit growers against trespassers," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on agriculture.

"An act to incorporate the Vesuvius Fire Proof Warehousing Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to incorporate 'The Put's Point Trotting Park Association,' in the town of Crown Point, Essex county," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the sale of the Marine Hospital grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to provide against goats running at large in the town of Greenburgh, county of Westchester, and State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the city of Rochester to issue new bonds to retire its present bounty bonds when due," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill referred to the committee on municipal affairs, with power to report complete.

The Assembly returned the bill entitled "An act to amend chapter 173, Laws of 1867, passed March 28, 1867, entitled 'An act to amend an act to provide for the erection of a town hall in the town of Jamaica, in the county of Queens,'" with a message that they had receded from their amendments made to said bill.

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864,'" with a message that they had passed the same, with the following amendment:

Add at the end of section 3 the following: "or for the purpose of purchasing a suitable lot and erecting thereon a building, to be used as a skating rink, and for holding fairs, meetings, exhibitions and all other lawful entertainments and amusements"

Mr. Nichols moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cresmer	Hubbard	Nichols	Parker
Bradley	Edwards	Mattoon	Norton	Stanford
Campbell	Genet	Morgan	O'Donnell	Tweed
Cauldwell	Graham	Morris		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act incorporating the Fire Proof Warehousing Company," with a message that they had passed the same, with the following amendment:

Add at the end of section 1, the following words: "but no such warehouse shall be constructed on the line of Morris street between Greenwich street and Broadway, in the city of New York."

Mr. Hale moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	O'Donnell	
Bradley	Edwards	Kennedy	Nichols	Parker	
Campbell	Genet	Mattoon	Nicks	Stanford	
Cauldwell	Hale	Morgan	Norton	Tweed	20

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company," with a message that they had passed the same with the following amendments:

Section 2, line 3, engrossed bill, after the word "prayers" insert "exclusive of guardians or representatives of minors." Same section, line 4, strike out all to the word "move."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	O'Donnell	
Bradley	Edwards	Kennedy	Nichols	Parker	
Campbell	Genet	Mattoon	Nicks	Stanford	
Cauldwell	Hale	Morgan	Norton	Tweed	
Chapman					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to incorporate the village of West Mount Vernon," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the commissioners of highways of the towns of Lockport and Newfane, to purchase the Long Causeway turnpike, located on the boundary line between said towns, and owned by David Maxwell," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act conferring additional corporate powers upon the village of Ellenville," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act authorizing the village of Douglass, in the counties of Delaware and Sullivan, to subscribe for and take capital stock in certain stock companies in said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice of the village of Saratoga Springs,' passed May 14, 1845, and the act amendatory of said act, passed March 27, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the city of Rochester to issue new bonds to retire its present bounty bonds when due," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the village of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn Heights,' passed April 17th, 1866, and supplemental thereto," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the corporation of the city of Albany to reduce the width of Dewitt street between Perry and Robin streets, in the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to protect the consumers of coal," was recommitted to the committee on municipal affairs, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to change the boundaries of the First and Second wards of the city of Albany, and define and establish the boundaries thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the bill entitled "An act supplementary to an act entitled 'An act declaring the village of Adams a valid corporation,' passed May 26, 1853," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Crowley, from the committee on municipal affairs, directed to investigate the condition of the streets and avenues of the city of New York, pursuant to a resolution of the Senate, passed March 5, 1868, submitted a report in writing, which was laid on the table and ordered printed.

(See Doc. No. 86.)

The Assembly returned the bill entitled "An act to close Eleventh street, in the city of Brooklyn, and to construct a canal in the place thereof," with a message that they had concurred in the passage thereof, with the following amendments:

Section 6, line 3, engrossed bill, after the word "commissioners" insert the words "or a majority of them." Line 7, same section, strike out the word "one" after the word "running" and insert the word "two."

Mr. Pierce moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Nichols	Parker
Bradley	Genet	Kennedy	Norton	Pierce
Cauldwell	Graham	Mattoon	O'Donnell	Tweed
Creamer	Hale	Morris	Palmer	Van Petten
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to enable incorporated rural cemeteries in Schoharie county to acquire title to lands where the owner or owners are unwilling to sell, or where cemetery associations and the owners cannot agree upon the value thereof," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Edwards offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly requesting them to return to the Senate the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, Queens county,' passed April 5, 1867."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer moved to take from the table the question agreeing to the report of the committee on municipal affairs, upon the bill entitled "An act supplementary to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed for a third reading.

Mr. Creamer moved to take from the table the question agreeing to the report of the committee on municipal affairs, upon the bill entitled "An act to amend section 31 of chapter 873 of the Laws of 1866, passed May 4, 1866, and section 32 of chapter 939, passed May 17, 1867, relating to buildings and the keeping and storage of combustible materials in the city of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Creamer moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the Carthage Savings Bank,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the New Amsterdam Sav-



ings Bank of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the German Benevolent Society of Staten Island," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to prevent frauds in the sale of tickets to passengers upon railroads, steamboats and steamships,' passed April 15th, 1857," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to provide for the more effectual protection of fruit-growers against trespassers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate 'The Teutonia Savings Bank' of the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act confirming the acts of Wm. R. Crandall, a constable of the town of Marshall, Oneida county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to authorize the Albany Union Foundry Company to increase its capital stock," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the acts and proceedings of Abraham Davids, as justice of the peace of the town of Parish, county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee of the judiciary, to which was recommended the Assembly bill entitled "An act appointing Jesse P. Haines, Elijah C. Odell and Moses C. Crapsey, commissioners for draining certain lands in the town and city of Lockport, in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release the interest of the State to a certain lot in the village of Clyde, to Ellen Gaffney and others," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release the interest of the people of the State of New York to the heirs of Wm. Harlan, deceased, and to enable them to take, hold and to dispose of certain real estate,"

with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act in relation to the Law Library in the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relating to the recording of sheriff's certificates upon the sale of real estate in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize certain acts of the town meeting held in the town of Stafford, in the county of Genesee, March 3, 1868," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Morris, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to empower Ulster Lodge No. 59 of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to legalize the elections of trustees and other officers of the village of Cary, Genesee county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act confirming a conveyance of real estate to Bridget Henry, and authorizing her to hold real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes, in relation to limited partnerships," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to confirm the title of the 'Excelsior Fire Insurance Company' to certain real estate in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Hamburg Driving Park Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Bradley, from the committee on insurance, to which was referred

the Assembly bill entitled "An act to incorporate the 'Cosmos Life Policy Trust Company' of New York," reported in favor of the passage of the same.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act for the relief of James Howard," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the town of Manlius, Onondaga county, to appropriate money for the erection of a monument to the memory of soldiers killed in the late war," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the towns of Mayfield and Northhampton, in the county of Fulton, and the towns of Hope, Benson, Wells and Lake Pleasant, in the county of Hamilton, to issue bonds and subscribe, and take for said towns, capital stock in the Gloversville, Mayfield and Northville Railroad Company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize the town of Southampton, in the county of Suffolk, to issue bonds to aid in the construction of a railroad from Sag Harbor, to connect either with the South Side railroad or the Long Island railroad," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was referred the bill entitled "An act to authorize the counties of Oswego, Cayuga, Wayne, Monroe, Orleans and Niagara, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad," reported that they have made some amendments thereto, and amended the title by striking out "Monroe, Orleans and Niagara," and as amended, recommend its passage.

On motion of Mr. Hubbard and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Bradley, from the committee on insurance, to which was recommitted the Assembly bill entitled "An act to incorporate 'The National Burglar Insurance Company' of the city of New York," with power to

report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Williamsburgh Sharp Shooters' Society of the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to the fees of the clerk of the county of Kings,' passed May 12, 1865,' passed March 23, 1867," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the construction of a railroad from the village of Olean to the Erie railway depot, at Olean," was recommitted to the committee on railroads, with power to report complete.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the bill entitled "An act relative to the water front of the port of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Mattoon moved that a respectful message be sent to the Assembly requesting them to return to the Senate the Assembly bill entitled "An act to amend the charter of the village of Phoenix, in Oswego county."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of Laws of 1864, entitled 'An act to incorporate the society for the protection of destitute Roman Catholic children at the city of Buffalo,' " was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to release certain escheated lands to Margaret Zachariassen," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to vest certain real estate belonging to the State, in the town of Marlborough, Ulster county, and to establish a public highway," with power to report complete, reported

the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act supplementary to an act passed April 19, 1867, to provide for re-building a bridge in the town of Lorraine, Jefferson county, and for raising money by tax for that purpose, upon the town of Lorraine, in said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate the rates of toll on the road and bridge of the Williamsburgh and Bushwick North Road Turnpike and Bridge Company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act authorizing a special town meeting in the town of Salina, Onondaga county, for the purpose of raising an increased amount of money for the support of roads in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to repeal sec. 3 of chapter 439 of the Laws of 1867, entitled 'An act to extend the charter and increase the capital stock of the 'Smithsboro and Nichols Bridge Company,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the commissioner of highways of the town of Deerfield to borrow money to pay indebtedness," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act for the relief of the Central Plankroad Company, situated in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plankroad Company to construct a railroad on and near its present route,' passed April 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to repeal chapter 270 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alteration thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 12, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Brighton, to acquire the right of way for such portions of the river road in said town, as have been wholly or

partially destroyed, through any adjacent orchards or sites of fruit trees, by an assessment of damages to the owners, in the same manner as in other cases," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing, Queens county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to define the powers and duties of commissioners of highways in the town of Cortlandt, in the county of Westchester, in relation to laying out and constructing new roads, and the construction of bridges in said town, and prescribing the mode of assessing and paying the costs and damages therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by the water of Champlain canal in the town of Fort Edward, Washington county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of James Gallagher," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the building of a road and bridge across the stream that constitutes the division line between the towns of Huntington and Islip, in the county of Suffolk, and for the general improvement of the roads and bridges in the said towns," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a swing or draw bridge over the entrance from the Erie canal to the basin, near Rexford Flats Postoffice in the town of Clifton Park, county of Saratoga," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Patterson Freeman, assignee of John White," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

By unanimous consent, Mr. Norton asked and obtained leave to introduce a bill entitled "An act to incorporate the Benevolent and Protective Order of Elks, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Tweed and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made," was recommitted to the committee on the judiciary, with power to report complete.

The Assembly bill entitled "An act to incorporate the New York Health and Accident Insurance Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Nichols	Palmer	Thayer
Bradley	Hubbard	Nicks	Parker	Tweed
Campbell	Mattoon	Norton	Pierce	Van Petten
Cauldwell	Morgan	O'Donnell	Stanford	Williams
Edwards	Morris			

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Folger moved to take from the table the veto message of His Excellency the Governor upon the bill entitled "An act to aid in the construction of the White Hall and Plattsburgh railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Morgan	Norton
Chapman	Folger	Mattoon	Nicks	Williams
Crowley	Graham			

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## FOR THE NEGATIVE.

Banks	Genet	Morris	Palmer	Thayer
Bradley	Hale	Murphy	Parker	Tweed
Cauldwell	Hubbard	Nichols	Stanford	Van Petten
Creamer				

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Mr. Folger moved to take from the table the veto message of His Excellency the Governor upon the bill entitled "An act to authorize the construction of a railroad in 125th street, and certain other streets, roads and avenues, in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Norton	Palmer
Chapman	Folger	Morgan	O'Donnell	Pierce
Crowley	Graham	Nicks		

## FOR THE NEGATIVE.

Banks	Cauldwell	Hale	Morris	Tweed	
Beach	Creamer	Hubbard	Nichols	Van Petten	
Bradley	Genet	Mattoon	Stanford	Williams	15

Mr. O'Donnell moved to lay the order of business of third reading of bills upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Creamer offered the following resolution:

*Resolved*, That hereafter the daily sessions of this body shall commence at 10 o'clock A. M., 4 o'clock P. M., and 8 o'clock P. M., and all rules of the Senate to the contrary, concerning hours of meeting and adjournment, are hereby rescinded.

Mr. Williams moved to strike out the words "8 o'clock P. M."

Mr. Genet moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Williams to amend, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Morgan	Nicks	Thayer	
Beach	Genet	Murphy	Parker	Van Petten	
Cauldwell	Graham	Nichols	Stanford	Williams	
Crowley	Mattoon				17

## FOR THE NEGATIVE.

Bradley	Creamer	Hale	Kennedy	Palmer	
Campbell	Edwards	Hubbard	O'Donnell	Tweed	
Chapman					11

Mr. Tweed moved to amend so that morning sessions close at 2 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. O'Donnell moved that the Senate now go into committee of the whole upon the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government, and to supply deficiencies in former appropriations."

Mr. Genet moved to amend by including the bill entitled as follows:

"An act to provide for transportation underground in the city of New York, and to authorize the organization of a railroad corporation for that purpose."

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

Mr. Creamer moved to amend by including in same committee of the whole, the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the Croton Aqueduct department in the city of New York,' passed April 8, 1867."

"An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York."

A division of the question being called for upon said amendment,

The President put the question whether the Senate would agree to so much of said amendment as relates to the bill entitled "An act to amend an act entitled 'An act in relation to the Croton Aqueduct depart-



ment in the city of New York,' passed April 8, 1867," and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Hale	Mattoon	Palmer	Tweed	
Cauldwell	Hubbard	Norton	Parker	Williams	
Creamer	Kennedy				12

## FOR THE NEGATIVE.

Banks	Crowley	Graham	Murphy	Stanford	
Beach	Edwards	Morgan	Nichols	Thayer	
Campbell	Folger	Morris	Nicks	Van Petten	
Chapman	Genet				17

The President then put the question whether the Senate would agree to so much of said amendment as relates to the bill entitled "An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York," and it was decided in the negative.

Mr. Folger moved to amend by including in the same committee of the whole, the Senate bill entitled as follows:

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations."

After some time spent therein, the President resumed the chair, and Mr. Parker, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. O'Donnell moved that said bill, and also the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848," be made the special order to-morrow morning, immediately after the reading of the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to provide for the construction of a bridge over the Champlain canal in the village of Mechanicsville."

"An act for the more effectual protection of emigrants, arriving at the port of New York."

"An act to authorize the Canal Commissioners to construct a bridge over the Erie canal in the city of Rochester, in the county of Monroe."

"An act for the relief of the co-operative Iron Founders' Association of West Troy."

"An act to amend the several acts relating to the Hudson River Bridge Company at Albany, and authorizing the construction of a bridge across the Hudson river at Albany."

"An act to authorize the construction of an iron bridge over the Black river canal, in the village of Port Leyden, in the county of Lewis."

"An act relating to the claim of Patrick Rogers for canal damages."

"An act for the payment of Peter Voorhees and James L. Voorhees for damages sustained by them in the draining of the Cayuga marshes."

"An act to amend the charter of the village of Palatine Bridge."

"An act to legalize the election of trustees in Free Union School district No. 1, of the town of Plattsburgh, and the several acts of the board or education of said district."

"An act for the relief of Ira Peck and Robert Robinson & Sons."

"An act explanatory of chapter 194, of the Laws of 1867, in relation to a revision of the Constitution."

"An act for the relief of Chauncey Lane."

"An act to afford the same facilities to passengers or property transported by steamboat on the Hudson river as is afforded by railroad."

"An act in relation to a State ditch in the towns of Mentz and Montezuma, Cayuga county."

"An act authorizing the making of indices to the records of naturalization, in the clerk's office of Oneida county."

"An act for the relief of the heirs and representatives of Jeremiah McCarty, deceased."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly brought the following entitled bills, with a message that they had passed the same, without amendment:

"An act to release to Nancy Crawford all the estate, right, title and interest of the people of the State of New York of, in and to certain premises and real estate, situate in the village of Clintonville, in the county of Clinton."

"An act to release the interest of the people of the State of New York, in certain real estate in Columbia county to Thomas Owens."

"An act to legalize the official acts of Martin R. Lefever, as trustee of school district No. 7, of the towns of New Bremen and Croghan, Lewis county."

"An act to enable the National Safe Deposit Company of the city of New York to complete its organization and commence business."

"An act to change the name of the Bay Side Ferry Company, and otherwise to amend the act incorporating the same, passed June 6, 1865."

"An act to incorporate the White Plains Water Works Company."

"An act to amend an act entitled 'An act to incorporate the village of Coxsackie,' passed April 5, 1867."

"An act to incorporate the Northam Hydraulic Company."

"An act for the relief of John Van Arsdall, and to enable him to take and file his oath as Justice of the Peace, and to confirm his election and acts as such."

"An act to amend an act entitled 'An act to amend an act entitled 'An act to organize and establish a recorder's court, in the city of Oswego,' passed March 26, 1849,' and the acts amendatory thereof."

"An act to incorporate the Working Women's Protective Union."

"An act to amend an act entitled 'An act to incorporate the Niagara Falls Suspension Bridge Company,' passed March 31, 1855."

"An act to authorize Marcus N. Preston and Heman D. Fulton to sell and convey, as trustees, the church property of the first religious society of Borodino, in the county of Onondaga."

"An act to amend an act entitled 'An act to incorporate the Dutchess

County Mutual Insurance Company,' passed April 12th, 1836, and an act to 'continue and extend the same,' passed April 9th, 1855."

"An act to amend an act act entitled 'An act to incorporate the Morisania Savings Bank,, passed May 1, 1865."

"An act to authorize the corporate authorities of the village of Herkimer to borrow money for the purpose of supplying said village with water to extinguish fires, and other purposes."

"An act for the relief of St. Joseph's Church, in the city of New York, to amend the act incorporating the same, and for other purposes."

"An act for the relief of Russell Martin, Assignee of William Mc Arthur, contractor on repair section number three, of the Genesee Valley canal."

"An act to release the interest of the people of the State of New York in certain real estate in Columbia county, to Arthur Owens."

"An act to incorporate the Port Jervis Water Works Company."

"An act to release to Margaret Sweeny certain lands in the Twelfth ward, Brooklyn."

"An act to amend the charter of the Homoeopathic Mutual Life Insurance Company of the city of New York."

"An act to vest the title to certain lands in 'The Westfield and Portland Union Cemetery Association,' and to authorize said association to affirm and enforce certain allotments and assessments."

"An act to release to Catharine Chadwick, the interest of the State in certain moneys arising on a sale of real estate now held by the surrogate of Oneida county."

"An act empowering the board of supervisors of the county of Westchester to require the collectors of the different towns in that county to pay over taxes at stated times."

"An act to enable the First Free Methodist Church in the city of Syracuse to elect trustees."

"An act incorporating the Safe Deposit Company of Binghamton."

"An act in relation to election districts in the town of Wallkill, Orange county."

"An act to provide for the adjustment of claims against towns in Cattaraugus county, and to provide means for the payment of the same."

"An act to incorporate the Protective Hook and Ladder Company, No. 1, of Hicksville, Queens county."

"An act to authorize the Peekskill Iron Company to construct a bridge over Peekskill creek, in the town of Cortlandt, Westchester county."

"An act to enable the electors of any incorporated village of this State, to hold a special election of village officers in certain cases, and to legalize the acts of officers holding over."

"An act for the relief of certain religious societies in the city and county of New York, and in the counties of Kings and of Westchester."

"An act to authorize the Commissioners of Land Office to sell certain real estate, escheated to the State, in the town of Jerusalem, Yates county."

"An act to amend an act entitled 'An act to amend the charter of the village of Newark,'"

"An act to provide for draining wet lands, and to widen and deepen the Rio Grand stream in the village and town of Goshen."

"An act to incorporate the Evangelical Lutheran Synod of the State of New York."

"An act to provide for the consolidation of the Richfield Springs and Herkimer, and the Richfield Springs and Cooperstown Telegraph Companies."

"An act to amend an act entitled 'An act to incorporate the village of Port Jervis,' passed March 30, 1866.

"An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse Northern Railroad Company."

"An act to release the interest of the State in certain real estate, to Sarah Elizabeth James."

"An act to release the interest of the State in certain real estate, of which George Pollock, late of Union county, New Jersey, died seized, and situate in the State of New York, to Thomas Watt of Cambridge, Washington county, New York."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bills entitled as follows:

"An act to provide for the appointment of an additional number of notaries public in the State of New York."

"An act to enable Conrad Poppenhusen to found an institution in the village of College Point."

"An act for the suppression of the trade in, and circulation of obscene literature, illustrations, advertisements and articles of indecent or immoral use, and obscene advertisements of patent medicines."

"An act to regulate the manner and payment of town subscriptions to the stock of the Dunkirk, Warren and Pittsburgh Railroad Company."

"An act to incorporate the city of Ogdensburgh."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867."

"An act to amend the charter of the city of Syracuse."

"An act to close Eleventh street in the city of Brooklyn, and to construct a canal in the place thereof."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to amend the Metropolitan Police Law, concerning the police life insurance fund," with a message that they had consented to a committee of conference and had appointed as such committee on their part, Messrs. Johnson, Keady, Purdy, Campbell and Ranney.

The President presented the report of the Commissioners of Pilots, pursuant to a resolution of the Senate, which was laid on the table and ordered printed.

(*See Doc. No. 88.*)

Mr. Beach moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Morgan	Stanford	
Beach	Crowley	Hale	Morris	Van Petten	
Campbell	Edwards	Kennedy	O'Donnell	Williams	
Cauldwell	Genet	Mattoon	Parker		19

FOR THE NEGATIVE.

Bradley	Creamer	Folger	Pierce	Tweed	5
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Whereupon the Senate adjourned.

## THURSDAY, APRIL 30, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The journal of yesterday was read and approved.

The President having announced the order of business, pursuant to the 9th joint rule, as third reading of bills.

Mr. O'Donnell moved to lay that order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847."

"An act to change the boundaries of the First and Second wards of the city of Albany, and define and establish the boundaries thereof."

"An act supplementary to an act entitled 'An act declaring the village of Adams a valid corporation,' passed May 26, 1853."

Also as correctly re-engrossed:

"An act to amend an act entitled 'An act to extend the operation and effect of the act passed Feb 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864."

"An act to regulate the use of certain docks in the city of Albany."

"An act authorizing the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company."

"An act to amend an act entitled 'An act to improve the Gowanus canal in the city of Brooklyn,' passed April 19, 1866."

The Assembly bill entitled "An act for the relief of the Central Plank Road Company, situated in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morris	Parker
Campbell	Edwards	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	O'Donnell	Thayer
Creamer	Hale	Morgan		

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the 'Albany Union Foundry Company' to increase its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce
Campbell	Genet	Mattoon	O'Donnell	Stanford
Cauldwell	Hale	Morgan	Palmer	Thayer
Creamer	Hubbard	Morris	Parker	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to empower Ulster Lodge No. 59, of the Independent Order of Odd Fellows of the State of New York, in the village of Saugerties, and county of Ulster, to hold and convey real and personal estate, and constitute the same a corporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Morris	Parker
Campbell	Edwards	Hubbard	Nichols	Stanford
Cauldwell	Folger	Kennedy	O'Donnell	Thayer
Creamer	Genet	Mattoon	Palmer	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the Fayetteville and Syracuse Plank Road Company to construct a railroad on and near its present route,' passed April 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Parker
Beach	Crowley	Hubbard	Nicks	Stanford
Campbell	Folger	Kennedy	O'Donnell	Thayer
Cauldwell	Genet	Morris	Palmer	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal section 3 of chapter 439 of the Laws of 1867, entitled 'An act to extend the charter and increase the capital stock of the 'Smithsboro and Nichols Bridge Company,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Morgan	Nichols	Parker
Beach	Hubbard	Morris	O'Donnell	Pierce
Campbell	Kennedy	Murphy	Palmer	Thayer
Cauldwell	Mattoon			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Carthage Savings Bank,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the German Benevolent Society of Staten Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker
Beach	Edwards	Kennedy	Nichols	Stanford
Campbell	Genet	Mattoon	O'Donnell	Thayer
Cauldwell	Hale	Morgan	Palmer	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the commissioners of highways of the towns of Lockport and Newfane to purchase the Long Causeway Turnpike, located on the boundary line between said towns, and owned by David Maxwell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Beach	Folger	Kennedy	Nichols	Pierce
Cauldwell	Genet	Mattoon	O'Donnell	Stanford
Crowley	Hale	Morgan	Palmer	Thayer
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for laying out, opening and grading a public road or highway in the town of Flushing' Queens county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Parker
Beach	Folger	Kennedy	Nichols	Pierce

Campbell	Genet	Mattoon	O'Donnell	Stanford	
Cauldwell	Hale	Morgan	Palmer	Thayer	20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the Ship Owners' Association of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Parker	
Beach	Edwards	Kennedy	O'Donnell	Pierce	
Campbell	Genet	Mattoon	Palmer	Stanford	
Cauldwell	Hale	Morgan			18

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to define the powers and duties of commissioners of highways in the town of Cortlandt, in the county of Westchester, in relation to laying out and constructing new roads, and the construction of bridges in said town, and prescribing the mode of assessing and paying the costs and damages therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Pierce	
Beach	Edwards	Kennedy	O'Donnell	Stanford	
Campbell	Genet	Mattoon	Palmer	Thayer	
Cauldwell	Hale	Morgan	Parker	Williams	20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal chapter 270 of the Laws of 1867, entitled 'An act to amend an act entitled 'An act to amend the Revised Statutes in relation to laying out public roads, and the alterations thereof, in the towns of North Castle, Bedford and Lewisborough, in the county of Westchester,' passed April 12, 1859,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce	
Beach	Genet	Mattoon	O'Donnell	Stanford	
Campbell	Hale	Morgan	Palmer	Thayer	
Cauldwell	Hubbard	Morris	Parker	Williams	
Creamer					21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.



The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Brighton, to acquire the right of way for such portions of the River road in said town, as have been wholly or partially destroyed, through any adjacent orchards or sites of fruit trees, by an assessment of damages to the owners in the same manner as in other cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Beach	Folger	Kennedy	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morgan	Parker	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the commissioners of highways of the town of Deerfield to borrow money to pay indebtedness," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nichols	Pierce
Beach	Graham	Mattoon	O'Donnell	Stanford
Campbell	Hale	Morgan	Palmer	Thayer
Cauldwell	Hubbard	Morris	Parker	Williams
Crowley				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing a special town meeting in the town of Salina, Onondaga county, for the purpose of raising an increased amount of money for the support of roads in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morgan	Parker
Beach	Edwards	Hubbard	Nicks	Pierce
Bradley	Folger	Kennedy	O'Donnell	Stanford
Campbell	Graham	Mattoon	Palmer	Thayer
Cauldwell				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to more particularly define the duties of overseers of highways, and their appointment, in conformity with the provisions of chapter 522, of Laws of 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Morgan	Parker
Beach	Creamer	Hubbard	Murphy	Pierce
Bradley	Edwards	Kennedy	Nichols	Thayer
Campbell	Genet	Mattoon	O'Donnell	Williams

26

## FOR THE NEGATIVE.

Folger	Hale	Stanford	1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. O'Donnell and by unanimous consent, the Senate resolved itself into a committee of the whole, and proceeded to the consideration of the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government, and to supply deficiencies in former appropriations."

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848,"

After some time spent therein, the President resumed the chair, and Mr. Palmer, from said committee, reported progress on the first named bill, and asked leave to sit again.

Mr. O'Donnell moved that the committee of the whole be discharged from the further consideration of the said entitled bill, and that the same be ordered to a third reading.

Mr. Nichols moved that said bill be recommitted to the committee on finance, with instructions to restore the following paragraphs:

"For Ransom H. Gillett, for services rendered, by retainer of Horatio Seymour, when governor of the State of New York, in defence of Samuel North, M. M. Jones and Levi Cohn, agents of the State of New York, when tried before a military commission at the city of Washington, and for preparation made to defend Louis J. Otternott, James H. Creed, and Lieutenant Lockwood, afterward discharged without trial, six thousand one hundred and sixty-one dollars and thirty-nine cents.

"For William A. Beach, for services rendered, by retainer of Horatio Seymour, when governor of this State, in defence of Samuel North and others, when held as prisoners and on trial before a military commission at the city of Washington, and for expenses, six thousand one hundred and sixty-one dollars and thirty-nine cents.

"For repayment of balance of the actual expenses and disbursements by the select committee appointed by resolution of the Assembly, adopted on the twenty-third day of April, eighteen hundred and sixty-two, to ascertain the amount of unclaimed deposits in the savings banks, and other moneyed institutions, and to report on the same, to be paid on the order of the Comptroller and Attorney-General, seven hundred and four dollars and ten cents; and in addition, such compensation for services of attorney and counsel of said committee, as in the judgment of the Comptroller and Attorney-General, may be just and proper, not exceeding ten dollars per day for each day of actual service."

The President put the question whether the Senate would agree to said motion of Mr. Nichols, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Pierce	
Beach	Edwards	Hubbard	Nichols	Tweed	
Cauldwell	Genet	Morris			13

## FOR THE NEGATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nicks	Parker	Van Petten	
Crowley	Mattoon	O'Donnell	Stanford	Williams	
Folger					16

Mr. Nichols moved to recommit to the committee on finance, with instructions to strike out the appropriation of \$50,000 to the Soldiers' Home at Albany.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Nichols moved to recommit with instructions to strike out the appropriation of \$5,000 to D. J. Mitchell.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Nichols moved to recommit with instructions to strike out \$500 to Victor M. Rice.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Folger and by unanimous consent, said bill was amended by adding the following at the end of the item for compensation of officers of the Constitutional Convention:

"For the chaplains thereof, the same pay per day as chaplains for the Legislature."

Mr. Morgan moved to recommit to the committee with instructions to insert as follows, and report forthwith:

"For Indians of the Seneca Nation, for payment of expenses when visiting Albany on business relating to Indian affairs, to be paid on the order of the Governor, \$100."

Mr. Thayer moved to amend, that the committee also be instructed to strike out the item relative to steam-boilers.

Pending the question, the hour of 2 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the pending question to be upon the motion of Mr. Thayer to recommit with instructions to strike out the paragraph relative to inspection of steam-boilers.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Creamer	Hale	Palmer	Thayer	
Cauldwell	Genet	Norton	Stanford		9

## FOR THE NEGATIVE.

Banks	Edwards	Mattoon	Nicks	Tweed	
Beach	Folger	Morgan	O'Donnell	Van Petten	
Chapman	Hubbard	Morris	Parker	Williams	
Crowley	Kennedy	Nichols	Pierce		19

The President then put the question whether the Senate would agree to said motion of Mr. Morgan, and it was decided in the affirmative.

Mr. O'Donnell, from the committee on finance, reported back said bill with amendments, as instructed by the Senate.

Mr. Nichols moved to recommit said bill to the committee on finance, with instructions to strike out the following:

"For Morgan Augsburg, late assistant warden of the State Prison at Auburn, for extra labor."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Morris	Nichols	Palmer	5
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FOR THE NEGATIVE.

Campbell	Crowley	Mattoon	Parker	Thayer	
Cauldwell	Edwards	Nicks	Pierce	Van Petten	
Chapman	Folger	Norton	Stanford	Williams	
Creamer	Hubbard	O'Donnell			18

Mr. Van Petten moved to recommit with instructions to strike out the appropriation of \$8,000 to the Law Library of the 8th Judicial district.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Parker moved to recommit with instructions to strike out the clause paying the expenses of Henry Clausen for counsel, \$1,250, and for printing the arguments, \$300.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Chapman	Morgan	Parker	Van Petten	5
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FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Nichols	Stanford	
Beach	Edwards	Kennedy	O'Donnell	Thayer	
Bradley	Folger	Mattoon	Palmer	Tweed	
Cauldwell	Genet	Morris	Pierce	Williams	
Creamer	Hale	Murphy			28

The President stated the question to be on the motion of Mr. O'Donnell to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That said bill be read a third time.

Mr. Parker, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht,' passed April 11, 1868," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	O'Donnell
Beach	Crowley	Hubbard	Murphy	Parker
Bradley	Edwards	Kennedy	Nichols	Stanford

Campbell	Folger	Mattoon	Nicks	Van Petten	
Cauldwell	Genet	Morgan	Norton	Williams	25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach, from a conference committee, submitted the following report:

The undersigned, conference committee, appointed on the part of the Senate and Assembly to reconcile the difference between the two houses upon the Assembly bill entitled "An act entitled an act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as the Military Code of the State of New York," do respectfully report and recommend the passage of the following amendment to said bill:

§ 14. The staff of the Commander-in-Chief (except the Adjutant-General), in lieu of all compensation and allowances now provided by law, in time of peace, when upon actual duty under the provisions of law, either at drills, parades, encampments, lake and sea coast defence duty or otherwise, shall receive such compensation as is provided by law for officers of the same rank, with their necessary and proper expenses and those of their department, to be paid by the State on the certificate of the commander in chief.

The Adjutant-General shall receive an annual salary of three thousand dollars to be paid by the commander in chief.

GEORGE BEACH,  
J. B. VAN PETTEN,  
CHAS. J. FOLGER.\*

*Senate Committee.*

RICHARD FLACK,  
ANTHONY HARTMAN,  
JARED A. WELLS,  
ABM. E. HASBROUCK,  
JOHN RABER.

*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Stanford
Beach	Edwards	Morgan	O'Donnell	Thayer
Bradley	Genet	Morris	Palmer	Tweed
Campbell	Hale	Murphy	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams
Chapman	Kennedy	Nicks		

28

*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. O'Donnell moved that the Assembly bill entitled "An act making appropriations for certain expenses of government, and supplying deficiencies in former appropriations," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

\*Except as to increase of salary to Adjutant-General.

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Norton	Stanford
Beach	Edwards	Morgan	O'Donnell	Tweed
Bradley	Hale	Morris	Palmer	Van Petten
Campbell	Hubbard	Murphy	Pierce	Williams
Cauldwell	Kennedy			

23

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly sent for concurrence, the bills entitled as follows:

"An act to repeal chapter 440 of the Laws of 1864, entitled 'An act to construct a highway from Adirondack to Saranac,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend chapter 97 of the Laws of 1865, entitled 'An act enabling the banks of this State to become associations for the purpose of banking under the Laws of the United States,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Mayville Driving Park Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables, in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the extension of Bushwick avenue, from the city line of Brooklyn into the town of New Lots, in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to release to Benjamin Sanchez the title of the people of the State of New York, acquired by escheat, in and to certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the town of Shawangunk, Ulster county, to borrow money to rebuild bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to facilitate the construction of the Newburgh and Wallkill Valley railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act for the preservation of the health of animals used for human food," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to provide for the appointment of a sienographer for the county court and court of sessions of the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to common schools in the city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to legalize the acts of G. S. Sawins, Samuel Hopper, Joseph Newton, H. W. Seymour and S. H. Kirkland, as trustees of the corporation of the village of Antwerp," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to abolish the Banking Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the town of Shawangunk, Ulster county, to borrow money to rebuild bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend title 10 of chapter 8 of part 3 of the Revised Statutes, relative to bawdy houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize towns in the counties of St. Lawrence and Franklin, to issue bonds and take stock in any company that shall be legally organized within five years after the passage of this act, for the purpose of building a railroad from Potsdam Junction, St. Lawrence county, northeasterly through or into both of said counties, to some point on the province line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend the charter of the National Savings Bank of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the levying of a tax on the town of Whitestown, Oneida county, to liquidate the indebtedness of said town for roads and bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to make provision for the government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

The Assembly returned the bill entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," pursuant to a resolution of the Senate.

Mr. Mattoon moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Mattoon and by unanimous consent, said bill was recommitted to the committee on municipal affairs, with power to report complete.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point, Queens county,' passed April 5, 1867," pursuant to a resolution of the Senate.

Mr. Edwards moved to reconsider the vote agreeing to the report of the committee on municipal affairs adverse to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Edwards moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence, a resolution in the words following:

*Resolved*, (if the Senate concur,) That this House adjourn *sine die*, on Saturday the 2d day of May, at 12 o'clock, noon.

*Ordered*, That said resolution be laid on the table.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate the village Ovid in the county of Seneca."

"An act conferring upon the Brooklyn Patent Pressed Brick Company, power to hold real estate."

"An act to extend the time for the collection of Spring, Phila and Division street assessments, in the village of Saratoga Springs, and to confirm the acts of the trustees relative thereto."

"An act in relation to the working of the quarry contracts, at the State Prison at Sing Sing."

"An act for the relief of Frederick C. Thurber."

"An act to amend chapter 554 of the Laws of 1865, entitled 'An act to establish a Capital Police district, to provide for the government thereof.'"

"An act to confirm the title of certain persons to real estate, questioned by reason of the alienism of former owners."

"An act to amend an act entitled 'An act to incorporate the Inebriates' Home for Kings county,' passed May 9, 1867."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bills entitled as follows:

"An act to amend the act entitled 'An act to extend the operation and effect of the act passed February 17th, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 23, 1864."

"An act to regulate the use of certain docks in the city of Albany."

"An act to amend the act entitled 'An act to improve the Gowanus canal in the city of Brooklyn,' passed April 19, 1866."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to amend the Metropolitan Police Law, concerning the Police Life Insurance Fund," with a message that they recede from the amendments made thereto by them.

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the extension of railroad tracks from Atlantic avenue to Prospect Park in the city of Brooklyn."

"An act to amend an act passed May 9, 1867, entitled 'An act making the turnpike and bridges of the Ravenswood, Hallet's Cove and Williamsburgh Turnpike and Bridge Company free, and providing for the maintenance of the same and for the rebuilding of the bridge over Newtown creek.'"

*Ordered*, That the Clerk deliver said bills to the Governor.

Mr. Stanford moved to take from the table the report of the conference committee upon the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"



The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Stanford moved that the question agreeing to said report be postponed for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Williams moved that the Senate return to the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act supplementary to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	Stanford
Beach	Creamer	Hubbard	Nicks	Van Petten
Bradley	Crowley	Kennedy	Palmer	Williams
Campbell	Edwards	Mattoon	Parker	
				19

FOR THE NEGATIVE.

Folger	Norton	Tweed	8
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the construction of a free bridge over the Seneca river in the towns of Mentz and Conquest, in Cayuga county," having been announced for a third reading,

On motion of Mr. Williams and by unanimous consent, said bill was amended by adding to section 1, the following:

"But no tax shall be levied upon the said towns to build said bridge unless the majority of the taxpayers of said towns shall consent thereto at a special town meeting to be held for that purpose, in each of said towns, on Saturday, the 20th day of June, 1868. The supervisors of said towns shall respectively give ten days notice of said town meetings, to be posted in at least six of the most public places in each town. Said town meetings shall be held at the usual place of holding town meetings in said towns. The vote shall be by ballot, upon which shall be written or printed, or partly written or printed, the words 'for a free bridge,' or 'against a free bridge.' If a majority of said ballots so cast in each town shall be 'for a free bridge,' the highway commissioners of said towns shall proceed to build said bridge at the expense of said towns. The said town meetings shall severally be presided over by the usual town board, and conducted in the usual manner of holding town meetings."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	O'Donnell	Thayer
Campbell	Edwards	Morgan	Parker	Tweed
Cauldwell	Folger	Morris	Pierce	Van Petten
Chapman	Hale	Nicks	Stanford	Williams
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to prevent frauds in the sale of tickets to passengers upon railroads, steamboats and steamships,' passed April 15, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Palmer	Thayer
Beach	Creamer	Hubbard	Parker	Tweed
Bradley	Edwards	Mattoon	Pierce	Van Petten
Campbell	Folger	Morris	Stanford	Williams
Cauldwell	Genet	Nichols		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the village of Douglas, in the counties of Delaware and Sullivan, to subscribe for and take capital stock in certain stock companies in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Thayer
Beach	Graham	Morgan	Palmer	Tweed
Bradley	Hale	Morris	Parker	Van Petten
Campbell	Hubbard	Nichols	Stanford	Williams
Cauldwell	Kennedy	Nicks		

23

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to change the boundaries of the First and Second wards of the city of Albany, and define and establish boundaries thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Thayer
Bradley	Folger	Mattoon	Palmer	Van Petten
Campbell	Hale	Morris	Parker	Williams
Cauldwell	Hubbard	Nichols	Stanford	

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act supplementary to an act entitled 'An act

declaring the village of Adams a valid corporation,' passed May 26, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	O'Donnell	Stanford
Campbell	Genet	Mattoon	Palmer	Thayer
Cauldwell	Graham	Morgan	Parker	Van Petten
Crowley	Hale	Norton	Pierce	Williams
Edwards	Hubbard			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Kennedy	Nichols	Stanford
Campbell	Edwards	Mattoon	Palmer	Thayer
Cauldwell	Folger	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Pierce	

19

## FOR THE NEGATIVE.

Banks 1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to vest certain real estate belonging to the State, in the town of Marlborough, Ulster county, and to establish a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Morgan	Palmer	Thayer
Bradley	Graham	Morris	Parker	Twed
Cauldwell	Hale	Murphy	Pierce	Van Petten
Chapman	Kennedy	Nichols	Stanford	Williams
Folger	Mattoon			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act supplementary to an act passed April 19, 1867, to provide for re-building a bridge in the town of Lorraine, Jefferson county, and for raising money by tax for that purpose, upon the town of Lorraine in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Murphy	Pierce
Beach	Graham	Mattoon	Nicks	Stanford

Campbell	Hale	Morgan	Palmer	Thayer	
Cauldwell	Hubbard	Morris	Parker	Van Petten	
Edwards					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The time having arrived for the consideration of the report of the committee of conference upon the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Murphy	Pierce	
Beach	Creamer	Hubbard	Nichols	Stanford	
Bradley	Genet	Morris	Norton	Tweed	15

## FOR THE NEGATIVE.

Campbell	Folger	Mattoon	O'Donnell	Thayer	
Chapman	Hale	Morgan	Palmer	Van Petten	
Crowley	Kennedy	Nicks	Parker	Williams	15

Mr. Stanford moved to reconsider said vote, and that that motion be laid upon the table.

Mr. O'Donnell moved that the Senate now adjourn.

The ayes and nays having been called for and taken, the vote was as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Kennedy	O'Donnell	Thayer	
Chapman	Hale	Mattoon	Palmer	Van Petten	
Crowley	Humphrey	Morgan	Parker	Williams	
Folger					16

## FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nichols	Pierce	
Beach	Edwards	Morris	Nicks	Stanford	
Bradley	Graham	Murphy	Norton	Tweed	
Cauldwell					16

There being a tie, the President voted in the affirmative, and declared the Senate adjourned.

## FRIDAY, MAY 1, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the People's Mutual Warehousing and Security Company."

"An act to confirm the title of the 'Excelsior Fire Insurance Company,' to certain real estate in the city of Brooklyn."

"An act to amend the act entitled 'An act to lay out, open and grade

Second and Fourth avenues, in the town of New Utrecht,' passed April 11, 1868.

Also as correctly re-engrossed:

"An act to authorize certain towns in the counties of Onondaga, Oswego and Jefferson to issue bonds in aid of the Syracuse Northern Railroad Company."

"An act to incorporate the New York Elevator Company."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The bill entitled "An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Mattoon	Nichols
Beach	Edwards	Hale	Morgan	Palmer
Campbell	Folger	Hubbard	Morris	Parker
Cauldwell	Genet	Kennedy	Murphy	Van Petten

20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of James L. Howard," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Nichols	Stanford
Beach	Edwards	Kennedy	Palmer	Thayer
Bradley	Genet	Mattoon	Parker	Van Petten
Campbell	Graham	Morgan	Pierce	Williams
Cauldwell	Hale	Morris		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Hamburg Driving Park Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nichols	Stanford
Cauldwell	Hale	Morgan	Parker	Thayer
Edwards	Hubbard	Morris	Pierce	Williams
Genet	Kennedy			

17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize certain acts of the town meeting held in the town of Stafford," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Nichols	Stanford
Cauldwell	Genet	Kennedy	O'Donnell	Thayer
Chapman	Graham	Mattoon	Parker	Van Petten
Crowley	Hale	Morris	Pierce	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the elections of trustees and other officers of the village of Cary, Genesee county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Campbell	Folger	Kennedy	O'Donnell	Stanford
Cauldwell	Genet	Mattoon	Palmer	Van Petten
Chapman	Graham	Morgan	Parker	Williams
Crowley	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act confirming a conveyance of real estate to Bridget Henry, and authorizing her to hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	O'Donnell	Thayer
Bradley	Genet	Mattoon	Palmer	Twed
Campbell	Graham	Morris	Parker	Van Petten
Cauldwell	Hale	Nichols	Pierce	Williams
Edwards	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the National Insurance Company in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	O'Donnell	Stanford
Bradley	Genet	Kennedy	Parker	Thayer
Cauldwell	Graham	Mattoon	Pierce	Van Petten
Chapman	Hale	Morris		

18

## FOR THE NEGATIVE.

Folger	Nichols	Twed
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the interest of the State to a certain lot in the village of Clyde to Ellen Gaffney and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Thayer
Bradley	Folger	Kennedy	Palmer	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morris	Stanford	Williams
Crowley	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release the interest of the people of the State of New York to the heirs and widow of William Harlan, deceased, and to enable them to take, hold and to dispose of certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Stanford
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Genet	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams
Crowley	Hale	Morris		

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act relating to the recording of sheriff's certificates upon the sale of real estate in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Morris	Pierce
Bradley	Folger	Kennedy	Nichols	Tweed
Campbell	Genet	Mattoon	Nicks	Van Petten
Cauldwell	Graham	Morgan	Parker	Williams
Crowley	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act confirming the acts of William R. Crandall, a constable of the town of Marshall, Oneida county," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Palmer	Thayer
Bradley	Genet	Mattoon	Parker	Tweed
Campbell	Graham	Morgan	Pierce	Van Petten
Cauldwell	Hale	Morris	Stanford	Williams
Crowley	Hubbard	Nichols		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the acts and proceedings of Abraham Davids, as justice of the peace of the town of Parish, county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Stanford
Beach	Folger	Kennedy	Nicks	Thayer
Bradley	Genet	Mattoon	Palmer	Van Petten
Campbell	Graham	Morris	Parker	Williams
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to immigrants and other passengers arriving at or departing from the port of New York," having been announced for a third reading,

On motion of Mr. Stanford and by unanimous consent, said bill was amended as follows:

Insert in the first section after the word "passengers" the following words: "arriving at the port of New York from a foreign country."

Add to first section as follows: "provided, however, that nothing herein contained shall prevent any railroad company from selling tickets to any person at the rates of fare charged for first class passengers, nor from selling tickets at the principal ticket offices of such company to immigrants and other second class passengers, provided that such company has at the same time an agent who shall sell tickets at the place designated by the said commissioners for selling tickets to immigrants. The Commissioners of Emigration shall permit every railroad company of this State desiring such privilege to have an agent at each and every place so designated by them to sell tickets to immigrants and other second class passengers, but if any such agent shall be found by the said commissioners to have been guilty, at any time, while acting as an agent, of defrauding immigrants, or of any other wrongful or disgraceful conduct, they shall exclude such agent, and it shall be the duty of the railroad company to appoint another agent in his place."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:



## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nichols	Stanford
Bradley	Edwards	Hubbard	Nicks	Tweed
Campbell	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Genet	Mattoon	Pierce	Williams 20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act appointing Jessie P. Haines, Elijah C. Odell, and Moses C. Crapsey, commissioners for draining certain lands, in the town and city of Lockport, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Stanford
Bradley	Genet	Mattoon	O'Donnell	Thayer
Campbell	Graham	Morgan	Palmer	Van Petten
Cauldwell	Hale	Morris	Pierce	Williams
Crowley	Hubbard	Nichols		23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the improvement of Brooklyn heights,' passed April 17, 1866, and supplemental thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Kennedy	Nicks	Stanford
Campbell	Graham	Mattoon	Palmer	Thayer
Cauldwell	Hale	Morgan	Parker	Van Petten
Edwards	Hubbard	Morris	Pierce	Williams
Folger				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nichols	Pierce
Campbell	Genet	Mattoon	Nicks	Stanford
Cauldwell	Graham	Morgan	Palmer	Van Petten
Creamer	Hale	Morris	Parker	Williams
Crowley	Hubbard			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the corporation of the city of Albany to reduce the width of DeWitt street, between Perry and Robin streets, in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Stanford	
Bradley	Edwards	Hubbard	Nicks	Thayer	
Campbell	Genet	Mattoon	Parker	Van Petten	
Cauldwell	Graham	Morgan	Pierce	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act conferring additional corporate powers upon the village of Ellenville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Palmer	Thayer	
Campbell	Graham	Morris	Parker	Tweed	
Cauldwell	Hale	Nichols	Pierce	Van Petten	
Creamer	Hubbard	Nicks	Stanford	Williams	
Edwards	Kennedy				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the appointment of a police justice of the village of Saratoga Springs,' passed May 14, 1845, and the act amendatory of said act passed March 27, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce	
Bradley	Genet	Mattoon	O'Donnell	Stanford	
Campbell	Graham	Morgan	Palmer	Van Petten	
Cauldwell	Hale	Morris	Parker	Williams	
Creamer	Hubbard	Nichols			23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the village of West Mount Vernon," was read a third time.

The President put the question whether the Senate would agree to

the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Nichols	Pierce
Bradley	Genet	Mattoon	Nicks	Stanford
Campbell	Graham	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Van Petten
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario shore railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Hale	Nicks	Parker	Thayer
Creamer	Hubbard	O'Donnell	Pierce	Van Petten
Edwards	Mattoon	Palmer	Stanford	Williams
Genet	Morris			

17

## FOR THE NEGATIVE.

Banks	Folger	Morgan
-------	--------	--------

8

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the Law Library in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Folger	Kennedy	Norton	Van Petten
Cauldwell	Genet	Mattoon	Parker	Williams

20

## FOR THE NEGATIVE.

Hale
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1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bills entitled as follows:

"An act to provide for the consolidation of the Greenpoint and Williamsburgh railroad with the Nassau railroad of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to close a portion of old Bushwick road or avenue, from Grand street to Marshall street, in the city of Brooklyn," which was read the

first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to enable the directors of the Mutual Insurance Company of New Scotland, Albany county, to insure on the cash system, and to increase their risks," which was read first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Stanford moved to reconsider the vote upon agreeing to the report of the conference committee upon the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted,'" and that said motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Murphy	Pierce	
Bradley	Edwards	Hubbard	Nichols	Stanford	
Cauldwell	Genet	Morris	Norton		14

## FOR THE NEGATIVE.

Campbell	Folger	Mattoon	Palmer	Van Petten	
Chapman	Hale	Morgan	Parker	Williams	
Crowley	Kennedy	Nicks	Thayer		14

Mr. Parker moved to lay the question to reconsider upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Stanford	
Campbell	Genet	Morgan	O'Donnell	Thayer	
Cauldwell	Hale	Morris	Palmer	Van Petten	
Chapman	Hubbard	Murphy	Parker	Williams	
Creamer	Kennedy	Nichols	Pierce		24

## FOR THE NEGATIVE.

Bradley	Crowley	Edwards	Graham	Norton	5
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The Assembly returned the bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations," with a message that they had non-concurred in the amendments made thereto by the Senate, and ask for a committee of conference thereon, and had appointed as such committee on their part, Messrs. Flagg, Furman, Bently, Jacobs and Selkreg.

Mr. O'Donnell moved that a like committee be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. O'Donnell, Palmer and Murphy, were appointed as such committee.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate consent to a committee of conference.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to construct embankments and walls on the west bank of the outlet of the

DeRuyter reservoir, in the town of Fabius," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Stanford, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to authorize the Canal Commissioners to construct a swing or draw-bridge over the entrance from the Erie canal to the basin near Rexford Flats postoffice, in the town of Clifton Park, county of Saratoga," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorize the town of Canisteo to raise money for the benefit of Canisteo Academy," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to incorporate a seminary of education under the name of 'The Clifton Springs Female Seminary,'" with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to common schools in the city of Lockport," reported in favor of the passage of the same.

On motion of Mr. Crowley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Morris, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the People's Mutual Warehousing and Security Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger requested his dissent from said report to be entered upon the journal, and it was so ordered.

Mr. Williams, from a majority of the committee on the judiciary, to which was referred the bill entitled "An act to legalize certain bonds of the town of Huron, Wayne county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on State prisons, to which was recommitted the Assembly bill entitled "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State prisons," with instructions to strike out all but the 8th and 10th sections thereof, reported that they have made the amendment thereto as directed by the Senate.

On motion of Mr. Williams and by unanimous consent, said bill was amended so as to read as follows:

AN ACT in relation to the printing contract entered into for printing at Sing Sing prison, with James B. Swain and Francis B. Fisher.

§ 1. The contract heretofore awarded and executed at Sing Sing prison for printing, stereotyping and electrotyping is hereby abrogated and annulled, upon James B. Swain and Francis B. Fisher, parties of the

second part to said contract, or their assigns, consenting, in writing and filing their consent in the office of the Comptroller to such abrogation; and upon their application, and upon notice to the State prison inspectors, or either of them, the Supreme Court at any special or general term thereof, in the second judicial district, shall appoint three commissioners to determine whether the parties to such contract or any of them have any just or equitable claim against the State, by reason of such abrogation, and if so, the amount thereof. And the award of said commissioners shall be subject to review by the court at any special or general term thereof in said district, and the amount of such award when confirmed by the court, and notice thereof filed in the office of the Comptroller, shall be forthwith paid said parties or their assigns on the warrant of the Comptroller of the State out of any money in the State treasury not otherwise appropriated, provided that the consent to such abrogation shall not be construed as a waiver to any claim the said parties may have against the State reason of such abrogation, nor be deemed conclusive against any claim for damages of said parties until the amount of such award shall have been paid them, and hereafter no contract for printing in any of its branches shall be renewed, nor shall any such contract hereafter be made in any of the prisons of this State. Such commissioners shall receive for their services ten dollars per day, to be paid by the Comptroller upon the order of the court out of any moneys in the treasury not otherwise appropriated.

§ 2. This act shall take effect immediately.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in township No. 14, in the town of Johnsburgh, to the Carthage road, near the head of Long Lake, in the county of Hamilton,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the boards of supervisors of the counties of Oswego and Onondaga to raise money to complete the payments for the construction of a bridge across the Oneida river, known as Schroepel's bridge," reported in favor of the passage of the same.

On motion of Mr. Kennedy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant,' passed April 12, 1862," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was

referred the Assembly bill entitled "An act to authorize the town of Shawangunk, Ulster county, to borrow money to rebuild bridges," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the levying of a tax on the town of Whitestown, Oneida county, to liquidate the indebtedness of said town for roads and bridges," reported in favor of the passage of the same.

On motion of Mr. Campbell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for the building of a road and bridge in the towns of Huntington and Islip, in the county of Suffolk," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the petition of Joseph F. Bridges and others, a committee, &c. to lay out a road at East New York, reported by bill, for the consideration of the Senate, entitled "An act authorizing the laying out a road in the town of New Lots, Kings county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Creamer, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend section 31 of chapter 873 of the Laws of 1866, passed May 4, 1866, and section 10 of chapter 939, passed May 17, 1867, relating to buildings and the keeping and storage of combustible materials in the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Creamer and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Graham	Nichols	Pierce
Bradley	Creamer	Hale	Norton	Thayer
Campbell	Edwards	Mattoon	O'Donnell	Van Petten
Cauldwell	Genet	Morgan	Parker	Williams

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to close a portion of Old Bushwick road or avenue, from Grand street to Marshall street, in the

city of Brooklyn," reported in favor of the passage of the same with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, as subsequently amended," reported in favor of the passage of the same, with amendments.

On motion of Mr. Morgan and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to regulate the sale of coal," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act in relation to building and repairing sidewalks in the village of Wellsville," reported in favor of the passage of the same.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to divide the Eighth and Tenth wards, and create a new ward in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to extend Lorimer street, in the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to divide the Ninth ward, and to create two new wards in the city of Brooklyn," reported in favor of the passage of the same, with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, into one municipal government, and to incorporate the same,' passed April 17th, 1854, and the several acts amendatory thereof and supplemental thereto, or affecting the same,' passed April 28th, 1864," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.



Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improving of Third street, in said city, passed April 17th, 1860, and the act supplementary thereto," reported adversely thereto, which report was agreed to and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend the charter of the city of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal chapter 454 of the Laws of 1863, entitled 'An act in relation to non-resident highway taxes upon certain lands in the counties of Essex and Hamilton,'" reported in favor of the passage of the same.

On motion of Mr. Hale and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the town of Manlius, Onondaga county, to appropriate money for the erection of a monument to the memory of soldiers killed in the late war," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the town of Argyle, in the county of Washington, to raise money by tax for the erection of a court house and jail therein for said county," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide against goats running at large in the town of Greenburgh, county of Westchester, and State of New York," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the West Farms Fire department,' passed April 17, 1858," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on militia and public defence,

to which was referred the Assembly bill entitled "An act to provide for the return of State and county regimental flags to State and county officers," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide ways and means for the support of government," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the correction of assessments and equalization of taxes, being chapter 453 of the Laws of 1865,'" reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of the Buffalo and Washington railway, and to authorize towns to subscribe to the capital stock thereof," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for the consolidation of the Greenpoint and Williamsburgh railroad with the Nassau railroad of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the construction of a railroad from the village of Olean to the Erie railway depot at Olean," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the towns of Mayfield and Northampton, in the county of Fulton, and the towns of Hope, Benson, Wells and Lake Pleasant, in the county of Hamilton, to issue bonds, and subscribe and take, for said towns, capital stock in the Gloversville, Mayfield and Northville Railroad Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of a railroad from Chittenango depot to the village of Cazenovia, and to authorize the town of Sullivan to subscribe to the capital stock thereof," reported in favor of the passage of the same.

On motion of Mr. Mattoon and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize towns in the counties of St. Lawrence and Franklin, to issue bonds and take stock in any company that shall be legally organized within five years after the passage of this act, for the purpose of building a railroad from Potsdam Junction, St. Lawrence county, northeasterly through or into both of said counties, to some point on the province line," reported in favor of the passage of the same, with amendments.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Campbell, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act for the preservation of the health of animals used for human food," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bradley, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to incorporate the 'Cosmos Life Policy Trust Company' of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8th, 1861, as subsequently amended," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to amend an act incorporating the village of Phoenix, in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the common council of the city of Buffalo to procure printing and advertising to be done for said city, in a newspaper printed in the English or German language, other than the official paper of said city, and to pay therefor," reported in favor of the passage of the same.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley stated his dissent from the report, which dissent was ordered entered upon the journal.

Mr. Folger, from the committee on the judiciary, to which was recommended the bill entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish," passed May 13, 1867," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 2d of chapter 534 of the Laws of 1866, and to legalize the acts of supervisors," reported in favor of the passage of the same.

On motion of Mr. Genet and by unanimous consent, the rules were

suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to summary proceedings to recover the possession of land," reported in favor of the passage of the same.

On motion of Mr. Genet and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the New York Dramatic Union of the city of New York," reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release certain escheated lands to Margaret Zachariassen," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Brooklyn,' passed April 24, 1867," reported in favor of the passage of the same, with amendments.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the National Savings Bank of Buffalo," reported in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the South Brooklyn Savings Institution,' reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend chapter 97 of the Laws of

1865, entitled 'An act enabling the banks of this State to become associations for the purpose of banking under the laws of the United States,' reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Teutonia Savings Bank of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Industrial Savings Bank of the city of Newburgh," reported in favor of the passage of the same, with amendments.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to common schools in the city of Lockport," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to authorize the town of Canisteo to raise money for the benefit of Canisteo Academy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on insurance, to which was referred the Assembly bill entitled "An act in relation to transfer of securities deposited by insurance companies with the Superintendent of the Insurance Department," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act in relation to transfer of securities deposited by insurance companies with the Superintendent of the Insurance Department, and to amend the act entitled 'An act to establish an Insurance Department,' passed April 15, 1859," and as amended, recommend its passage.

On motion of Mr. Parker and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Parker, from the committee on insurance, to which was referred the Assembly bill entitled "An act to enable the directors of the Mutual Insurance Company of New Scotland, Albany county, to insure on the cash system, and to increase their risks," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend the charter of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to divide the Eighth and Tenth wards, and create a new ward in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to close a portion of Old Bushwick road or avenue, from Grand street to Marshall street, in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to divide the Ninth ward, and to create a new ward in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act in relation to building and repaving sidewalks in the village of Wellsville," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the levying of a tax on the town of Whitestown, Oneida county, to liquidate the indebtedness of said town for roads and bridges," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to provide for the consolidation of the Greenpoint and Williamsburgh railroad with the Nassau railroad of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to facilitate the construction of the Buffalo and Washington railway, and to authorize towns to subscribe to the capital stock thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize towns in the counties of St. Lawrence and Franklin, to issue bonds and take stock in any company that shall be legally organized within five years after the passage of this act, for the purpose of building a railroad from Potsdam Junction, St. Lawrence county, north-easterly through or into both of said counties, to some point on the Province line," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on insurance, to which was recommitted the Assembly bill entitled "An act to enable the directors of the Mutual Insurance Company of New Scotland, Albany county, to insure on the cash system, and to increase their risks," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on insurance, to which was recommitted-

ted the Assembly bill entitled "An act in relation to transfer of securities deposited by insurance companies with the Superintendent of the Insurance Department, and to amend the act entitled 'An act to establish an insurance department,' passed April 15, 1859," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Benjamin Sanchez the title of the people of the State of New York acquired by escheat in and to certain real estate," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for making indices of the deeds, mortgages, writings, documents and maps of record in the county of Richmond, and for the payment of the cost and expenses thereof, and of the books and materials required for the same,' passed May 16, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the Williamsburgh Sharpshooter's Society of the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act in relation to the fees of the clerk of the county of Kings,' passed May 12, 1865, passed March 23, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to enable incorporated rural cemeteries in Schoharie county to acquire title to lands where the owner or owners are unwilling to sell, or where the Cemetery Association and the owners cannot agree upon the value thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release to Benjamin Sanchez the title of the people of the State of New York, acquired by escheat, in and to certain real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate 'The New York Dramatic Union,' of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Women's Aid Association of the city of Albany," reported in favor of the passage of the same.

On motion of Mr. Banks and by unanimous consent, the rules were

suspended and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of the Laws of 1864, entitled 'An act to incorporate the society for the protection of destitute Roman Catholic children at the city of Buffalo,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to confirm and render valid the official and corporate acts of the Northwestern Dispensary in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate 'The St. Francis Monastery' of the city of Brooklyn," reported in favor of the passage of the same.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger offered the following resolution:

*Resolved*, That the judiciary committee be, and it is hereby instructed to report at once to the Senate, the Assembly bill No. 619, entitled "An act to provide for submitting the amended Constitution to the electors of the State."

Mr. O'Donnell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Nicks	Palmer	Tweed	
Chapman	Kennedy	O'Donnell	Parker	Williams	12
Creamer	Morgan				

FOR THE NEGATIVE.

Banks	Folger	Hubbard	Nichols	Stanford	
Bradley	Graham	Mattoon	Norton	Thayer	
Cauldwell	Hale	Morris	Pierce	Van Petten	16
Edwards					

Mr. O'Donnell moved to postpone the consideration of said resolution indefinitely.

Mr. O'Donnell moved to lay the question to postpone upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Palmer	Tweed	
Chapman	Graham	Nicks	Parker	Van Petten	
Creamer	Kennedy	O'Donnell	Thayer	Williams	15

FOR THE NEGATIVE.

Banks	Edwards	Hubbard	Murphy	Pierce	
Bradley	Folger	Mattoon	Nichols	Stanford	
Cauldwell	Hale	Morris			13

Mr. Folger moved to discharge the committee on the judiciary from the further consideration of said bill, and that the same be referred to the committee of the whole.

Mr. O'Donnell moved to lay the question upon the table.



The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Morgan	O'Donnell	Tweed	
Campbell	Genet	Nicks	Palmer	Van Petten	
Chapman	Kennedy	Norton	Parker	Williams	15

## FOR THE NEGATIVE.

Banks	Edwards	Hale	Morris	Pierce	
Bradley	Folger	Hubbard	Murphy	Stanford	
Cauldwell	Graham	Mattoon	Nichols	Thayer	16
Crowley					

Mr. O'Donnell moved to postpone further consideration until Monday next.

Mr. O'Donnell moved to lay that motion upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Nicks	Parker	Van Petten	
Chapman	Kennedy	O'Donnell	Tweed	Williams	
Creamer	Morgan				12

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Pierce	
Beach	Edwards	Hubbard	Nichols	Stanford	
Bradley	Folger	Mattoon	Norton	Thayer	
Cauldwell	Graham	Morris	Palmer		19

Mr. O'Donnell moved to postpone until 4 o'clock P. M.

The President then put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Creamer	O'Donnell	Parker	Tweed	
Chapman	Nicks	Palmer	Thayer	Van Petten	10

## FOR THE NEGATIVE.

Banks	Edwards	Hale	Morgan	Norton	
Beach	Folger	Hubbard	Morris	Pierce	
Bradley	Genet	Kennedy	Murphy	Stanford	
Cauldwell	Graham	Mattoon	Nichols	Williams	
Crowley					21

The question being upon the motion of Mr. Folger to discharge the committee on the judiciary from the further consideration of said bill, and that the same be referred to the committee of the whole,

Mr. Parker moved to amend, that it be referred to a select committee of three, to be appointed by the Chair.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	O'Donnell	Parker	
Chapman	Mattoon	Nicks	Palmer	Thayer	
Creamer					11

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Stanford	
Beach	Edwards	Hubbard	Nichols	Tweed	
Bradley	Folger	Kennedy	Norton	Van Petten	
Cauldwell	Graham	Morris	Pierce		19

Mr. Genet moved that the whole subject be laid upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Creamer	O'Donnell	Parker	Williams	
Chapman	Genet	Palmer	Tweed		9

## FOR THE NEGATIVE.

Banks	Edwards	Kennedy	Murphy	Pierce	
Beach	Folger	Mattoon	Nichols	Stanford	
Bradley	Graham	Morgan	Nicks	Thayer	
Cauldwell	Hale	Morris	Norton	Van Petten	
Crowley	Hubbard				22

Mr. Parker moved to amend the motion of Mr. Folger, that it be referred to a committee of five, to be appointed by the Chair.

Mr. O'Donnell moved to lay the motion upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Nicks	Palmer	Williams	
Chapman	Morgan	O'Donnell	Parker		9

## FOR THE NEGATIVE.

Banks	Crowley	Hubbard	Murphy	Stanford	
Beach	Edwards	Kennedy	Nichols	Thayer	
Bradley	Folger	Mattoon	Norton	Tweed	
Cauldwell	Graham	Morris	Pierce	Van Petten	
Creamer	Hale				2

The President then put the question whether the Senate would agree to said amendment of Mr. Parker, to refer to a select committee, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Nicks	O'Donnell	Parker	
Chapman	Kennedy	Norton	Palmer	Williams	
Creamer	Morgan				12

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Murphy	Thayer	
Beach	Edwards	Hubbard	Nichols	Tweed	
Bradley	Folger	Mattoon	Pierce	Van Petten	
Cauldwell	Graham	Morris	Stanford		19

Mr. Parker moved to amend, that it be referred to a select committee of seven, to be appointed by the Chair.

Mr. Chapman moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Genet	Graham	Nicks		4
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## FOR THE NEGATIVE.

Banks	Edwards	Mattoon	Norton	Stanford	
Beach	Folger	Morgan	O'Donnell	Thayer	
Bradley	Hale	Morris	Palmer	Tweed	
Campbell	Hubbard	Murphy	Parker	Van Petten	
Cauldwell	Kennedy	Nichols	Pierce	Williams	
Creamer					26

Mr. Chapman moved that the Senate take a recess until 4 o'clock p. m.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Graham	O'Donnell	Williams	
Chapman	Genet	Nicks	Parker		9

## FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer	
Bradley	Edwards	Kennedy	Palmer	Tweed	
Campbell	Folger	Mattoon	Pierce	Van Petten	19
Cauldwell	Hale	Morris	Stanford		

Mr. Genet moved to lay the whole subject upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Creamer	Nicks	Parker	Williams	
Chapman	Genet	O'Donnell	Tweed		9

## FOR THE NEGATIVE.

Banks	Crowley	Hale	Morris	Pierce	
Beach	Edwards	Hubbard	Murphy	Stanford	
Bradley	Folger	Kennedy	Nichols	Thayer	
Cauldwell	Graham	Mattoon	Palmer	Van Petten	20

The hour of two o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question pending to be on the motion of Mr. Parker to discharge the committee on the judiciary from the further consideration of the bill relative to the proposed new Constitution, and that it be referred to a select committee of seven.

Mr. O'Donnell moved to lay that question on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Creamer	Kennedy	O'Donnell	Parker	
Chapman	Genet	Nicks	Palmer	Van Patten	10

## FOR THE NEGATIVE.

Edwards	Graham	Hubbard	Murphy	Thayer	
Folger	Hale	Mattoon	Nichols		9

Mr. Folger moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Edwards	Hubbard	Nicks	Thayer	
Creamer	Graham	Murphy			8

## FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Parker	Van Petten	
Chapman	Hale	O'Donnell	Stanford	Williams	
Folger	Kennedy	Palmer			18

Mr. Folger moved to postpone indefinitely the further consideration of the subject.

Mr. O'Donnell moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Kennedy	O'Donnell	Van Petten	Williams	
Chapman	Nicks	Parker			8

## FOR THE NEGATIVE.

Bradley	Folger	Hale	Morris	Stanford	
Cauldwell	Genet	Hubbard	Murphy	Thayer	
Edwards	Graham	Mattoon	Nichols		14

The President then put the question whether the Senate would agree to said motion to postpone, and it was decided in the negative.

The President then put the question whether the Senate would agree to discharge the committee from the further consideration of said bill, and it was decided in the negative.

Mr. Folger submitted the following:

The standing committee of the judiciary, to which was referred the Assembly bill entitled "An act to provide for submitting the amended Constitution to the electors of the State," report:

That in taking action upon this bill, in committee, it was found that though a majority of the committee agreed upon different features of the bill, a majority could not agree upon the bill as a whole, or upon any such amendment or amendments to it as would make it as a whole acceptable to a majority of the committee. Thus, Mr. Hale and Mr. Folger would agree to an amendment which should provide for submitting the Constitution as a whole, with a separate proposition as to suffrage, leaving the day of submission as prescribed by the bill, to wit: on the day of the next general election.

Mr. Williams would not agree to submit on that day, but would concur otherwise with Mr. Hale and Mr. Folger.

Mr. Morris and Mr. Murphy would not agree to amend the bill in the particular desired by Mr. Hale and Mr. Folger, nor in the particular desired by Mr. Williams, nor would a majority of the committee agree to report the bill adversely.

This state of facts existing in the committee, it was determined by a majority of the committee to report the same for the consideration of the Senate.

All of which is respectfully submitted.

Dated May 1, 1868.

CHAS. J. FOLGER, *Chairman*.

Mr. Williams requested his dissent from said report to be entered upon the journal.

Said bill was then committed to the committee of the whole.

Mr. Folger, from the committee of the judiciary, to which was recommended the Assembly bill entitled "An act to amend section 2 of chapter 534 of the Laws of 1866, and to legalize the acts of supervisors," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Vesuvius Fire Proof Warehousing Company," reported in favor of the passage of the same.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Graham, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of the

Newburgh and Wallkill Valley railroad," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Graham, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Sixth Avenue Savings Bank of the city of New York," reported that they have made some amendments thereto, and amended the title by striking out the words "Sixth avenue," and inserting the words "Bowling Green," and as amended, recommend its passage; which report was agreed to, and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relating to the surrogate and county judge of the county of Otsego," reported adversely thereto.

Mr. Van Petten moved to lay said report on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to the justices of the justices' court in and for the city of Troy," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in Richmond county," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Francis Hamilton, as notary public," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend title 3 of chapter 8 of part 3 of the Revised Statutes, relative to bawdy houses," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act to provide payment to the Seventh Regiment, National Guard, of the annual appropriation due under section 183 of the Military Code for the years 1862, 1863, 1864 and 1865," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act for the correction of assessments and equalization of taxes, being chapter 453 of the Laws of 1865,' " with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommitted the Assembly bill entitled "An act to provide ways and means for the support of government," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the extension of Bushwick avenue, from the city line of Brooklyn into the town of New Lots, in Kings county," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to open a square, to be known as Lafayette square, in the city of Brooklyn,'" reported adversely thereto.

Mr. Murphy moved to lay said report on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to legalize the acts of G. S. Sawins, Samuel Hopper, Joseph Newton, H. W. Seymour and S. H. Kirkland as trustees of the corporation of the village of Antwerp," reported in favor of the passage of the same.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to incorporate the East Side Association of the city of New York," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to establish a Capital Police district, and to provide for the government thereof,' passed April 22, 1865," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to repeal the Laws of 1867, in relation to the police force of the city of Utica," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of College Point,' passed April 5, 1867," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and the act amendatory thereof, passed April 22, 1867," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from a majority of the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to organize and establish a police force for the city of Schenectady," reported adversely thereto; which report was agreed to, and said bill rejected.

Mr. Creamer dissented from said report.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to authorize the street commissioner of the city of New York to make a contract for the filling of certain sunken lots on the southerly side of Manhattan street, east and west of Tenth avenue," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Stanford, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to authorize the Canal Commissioners to construct embankments and walls on the west bank of the outlet of the De Ruyter reservoir, in the town of Fabius," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Kennedy, from the committee on municipal affairs, to which was recommitted the bill entitled "An act to incorporate the East Side Association of the city of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Creamer offered the following resolution:

*Resolved*, That the committee on internal affairs of towns and counties, be discharged from the further consideration of Assembly bill, No. 758, entitled "An act to amend an act entitled 'An act to regulate the sale of intoxicating liquors within the Metropolitan Police district of the State of New York,' passed April 14, 1866," and that it be committed to the committee of the whole.

Mr. O'Donnell moved to lay the resolution upon the table, when the vote was as follows:

#### FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Kennedy	Nichols	Parker	Van Petten	
Folger	Mattoon	O'Donnell	Stanford		14

#### FOR THE NEGATIVE.

Beach	Creamer	Hubbard	Nichols	Tweed	
Bradley	Genet	Morris	Norton	Williams	
Cauldwell	Graham	Murphy	Pierce		14

There being a tie, the President voted in the affirmative, and declared the motion carried.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to legalize the acts of G. S. Sawins, Samuel Hopper, Joseph Newton, H. W. Seymour and S. H. Kirkland, as trustees of the corporation of the village of Antwerp," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to extend Lorimer street in the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to authorize the common council of the city of Buffalo to procure printing and advertising to be done for said city, in a newspaper printed in the English and German language, other than the official paper of said city, and to be paid therefor," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the counties of Oswego and Onondaga to raise money to complete the payments for the construction of a bridge across the Oneida river, known as Schroepel bridge," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Mutual Savings Bank of Brooklyn,' passed April 24, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to amend the charter of the National Savings Bank of Buffalo," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate the Women's Aid Association of the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to incorporate 'The St. Francis Monastery,' of the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to repeal chapter 454 of the Laws of 1863, entitled 'An act in relation to non-resident highway taxes upon certain lands in the counties of Essex and Hamilton,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act



to amend an act entitled 'An act to incorporate the West Farms Fire department,' passed April 17th, 1858," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the town of Argyle, in the county of Washington, to raise money by tax for the erection of a court house and jail therein for said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to provide against goats running at large in the town of Greenburgh, county of Westchester, and State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on militia and public defence, to which was recommitted the Assembly bill entitled "An act to provide for the return of State and county regimental flags to State and county officers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Norton and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the New Amsterdam Savings Bank of the city of New York," was recommitted to the committee on banks, with power to report complete.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and the bill entitled "An act to amend the Revised Statutes in relation to limited partnerships," was recommitted to the committee on the judiciary, with power to report complete.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls," was recommitted to the committee on canals, with power to report complete.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widening of Middle street, in said city, and changing the name of same," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Graham and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to incorporate the Milton Ferry Company," was recommitted to the committee on commerce and navigation, with power to report complete.

On motion of Mr. Nicks and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to provide for the more effectual protection of fruit growers against trespassers," was recommitted to the committee on agriculture, with power to report complete.

Mr. Hale, from select committee, submitted the following:

*To the Honorable the Senate:*

Your committee, appointed pursuant to resolution adopted April 10th, 1868, to inquire as to the use of money, &c. to influence the action of Senators upon measures relating to railways, respectfully report:

That they had commenced such investigation and diligently prose-

cuted the same, so far as time and their other necessary duties would permit, but have been unable to complete the same.

This failure to accomplish the work entrusted to your committee, results in a great measure from inability to obtain the attendance of some witnesses deemed material in such investigation. Some of these witnesses, your committee have reason to believe, have left the State temporarily, or concealed themselves within it, for the purpose of avoiding the service of process to compel such attendance, thinking that the approaching adjournment will terminate the powers of your committee.

Your committee are of the opinion that a report of the testimony now taken, in the present incomplete stage of the investigation, would do injustice to some parties referred to by witnesses, and would perhaps defeat the object of the investigation.

They are therefore compelled to recommend the adoption of the accompanying resolution.

Dated May 1, 1868.

M. HALE, *Chairman*.

*Resolved*, That so much of the resolution of the Senate adopted April 10th, 1868, for the appointment of a committee to inquire as to the payment or offer of money to Senators to influence their action on measures relating to railway companies, as requires such committee to report to the Senate during the present session, be and the same hereby is rescinded; and that the committee appointed pursuant to said resolution, be and they are hereby authorized to sit during the recess of the Legislature, with the same powers and effect as during the session, and to report at the next regular session of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	O'Donnell	Thayer
Campbell	Hale	Morris	Palmer	Van Petten
Cauldwell	Hubbard	Murphy	Parker	Williams
Chapman	Kennedy	Nichols	Pierce	

24

FOR THE NEGATIVE.

Genet

1

Mr. Kennedy, from the committee on municipal affairs, to which was recommended the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widening of Middle street, in said city, and changing the name of same," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell, from the committee on agriculture, to which was recommended the Assembly bill entitled "An act to provide for the more effectual protection of fruit growers against trespassers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act to incorporate the East New York Savings Bank," with a message that they had passed the same, with the following amendments:

Section 1, line 6, printed bill, strike out the name "Middledorf," and insert in lieu thereof "Schenck."

Same section, line 8, after the name "Krumer," insert the names "James Maguire, Horace A. Miller, Charles W. Hamilton."

The President put the question whether the Senate would agree to

concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Parker
Bradley	Edwards	Hubbard	Morris	Stanford
Campbell	Genet	Kennedy	Murphy	Tweed
Cauldwell	Graham	Mattoon	Nichols	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn," with a message that they had passed the same, with the following amendment:

Section 9, line 4, printed bill, strike out all after the word "commissioners" down to the word "The" at the beginning of a sentence in line 6, same section.

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Parker
Bradley	Edwards	Hubbard	Murphy	Pierce
Campbell	Folger	Kennedy	Nichols	Stanford
Cauldwell	Genet	Mattoon	Nicks	Thayer
Chapman	Graham	Morgan	O'Donnell	Tweed

25

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to incorporate the Isthmus Canal Company," with a message that they had passed the same, with the following amendments:

Strike out the name of "Norman Rude" in line 11 of Section 1, engrossed bill, and insert "Henry W. Slocum;" and also by striking out the name of "Edward W. Sewell" in lines 10 and 11 of same section, and insert the name of "Peter Cagger."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morris	Palmer	Thayer
Bradley	Genet	Murphy	Pierce	Tweed
Creamer	Hubbard	Nicks	Stanford	Van Petten
Edwards	Mattoon			

17

## FOR THE NEGATIVE.

Cauldwell 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town," with a message that they had passed the same, with the following amendments:

Strike out section 3, and insert as section 3, the following:

§ 3. Any public moneys which may hereafter come into the hands of the trustees of the said district number two, before the act goes into effect, shall be paid over to the trustees of district number eight.

§ 4. This act shall take effect on the 18th day of October next.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce
Bradley	Genet	Morgan	Nicks	Stanford
Campbell	Graham	Morris	Palmer	Tweed
Cauldwell	Hubbard	Murphy	Parker	Van Petten
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, *April 28, 1868.*

Pursuant to a joint resolution of the Senate and Assembly, His Excellency the Governor returned for correction, the bill entitled "An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed February 17, 1857, and the acts amendatory thereof, passed April 14, 1862, and May 2, 1863."

On motion of Mr. Mallison, the vote taken on the final passage of said bill was reconsidered, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present. By unanimous consent and on motion of Mr. Mallison, said bill was amended as follows: Strike out all of section 1 to the words "is hereby amended so as to read as follows" and insert in lieu thereof "Section 1. Section 3 of chapter 368 of the Laws of 1863, entitled 'An act to amend an act entitled 'An act for the better regulation of firemen in the city of Brooklyn,' passed February 17, 1857, and the act amendatory thereof, passed April 14, 1862," and, as amended, was read a third time and passed, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present; which said bill, as amended, is sent to the Senate for concurrence.

By order.

C. W. ARMSTRONG, *Clerk.*

The President put the question whether the Senate would agree to reconsider the vote on the final passage of said bill, and it was decided in the affirmative, the vote being as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Pierce
Bradley	Genet	Morgan	O'Donnell	Stanford
Campbell	Hale	Morris	Palmer	Tweed
Cauldwell	Hubbard	Murphy	Parker	Van Petten
Creamer	Kennedy	Nichols		

22

The President then put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford
Bradley	Genet	Morgan	O'Donnell	Thayer
Campbell	Hale	Morris	Parker	Tweed

Cauldwell	Hubbard	Murphy	Pierce	Van Petten	24
Creamer	Kennedy	Nichols	Thayer		

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, April 27, 1868.

*Resolved*, (if the Senate concur,) That all bonds of the United States, hereafter issued, should be subject to taxation for State and municipal purposes; that all bonds of the United States not expressly payable in gold, heretofore issued, should be paid in legal tender notes of the United States, as soon as the government has the right to pay such bonds, unless the holders thereof will exchange them at par for new six per cent bonds, payable in gold twenty or thirty years from date, subject to taxation for State and municipal purposes; that Congress should declare all bonds of the United States heretofore issued, subject to taxation for State and municipal purposes, as soon as the government has the right to pay them, if the holders thereof shall choose to retain them instead of exchanging them for new six per cent bonds of the United States, payable in gold twenty or thirty years from date, subject to taxation for State and municipal purposes; the object being to make all bonds of the United States, subject to State and municipal taxation, as soon as it can be done consistent with the Constitution of the United States, to the same extent that bonds of the several States, and of counties, towns, cities and villages are now subject to taxation under the laws of the different States. And our Senators and Representatives are requested to favor the passage of laws for carrying the foregoing views into effect.

*Ordered*, That said resolution be laid on the table.

Mr. Murphy moved to take from the table the veto message of His Excellency the Governor upon the bill entitled "An act in relation to sheriffs."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question "Shall this bill pass notwithstanding the objections of His Excellency the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Murphy	Stanford	
Bradley	Edwards	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Norton	Van Petten	
Creamer	Graham	Morris	Pierce		19

FOR THE NEGATIVE.

Campbell	Hale	Nicks	Palmer	Thayer	
Chapman	Morgan	O'Donnell	Parker	Williams	
Folger					11

Mr. Murphy moved to reconsider the vote just taken.

Mr. O'Donnell raised the point of order that the vote upon said bill having been once reconsidered, the motion was not in order.

The President put the question "Shall the point of order be sustained?" and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	O'Donnell	Palmer	Parker
Chapman			

Thayer

## FOR THE NEGATIVE.

Banks	Crowley	Graham	Mattoon	Nichols	
Beach	Edwards	Hale	Morgan	Norton	
Bradley	Folger	Hubbard	Morris	Pierce	
Cauldwell	Genet	Kennedy	Murphy	Tweed	20

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Nichols	Pierce	
Beach	Edwards	Mattoon	Norton	Stanford	
Bradley	Genet	Morris	O'Donnell	Tweed	
Cauldwell	Graham	Murphy	Parker	Van Petten	22
Creamer	Hubbard				

## FOR THE NEGATIVE.

Campbell	Folger	Morgan	Palmer	Williams	
Chapman	Hale	Nicks	Thayer		9

Mr. Murphy moved to lay the message on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Beach	Crowley	Hubbard	Murphy	Stanford	
Bradley	Edwards	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Norton	Van Petten	20

## FOR THE NEGATIVE.

Campbell	Hale	Nicks	Palmer	Thayer	
Chapman	Morgan	O'Donnell	Parker	Williams	
Folger					11

Mr. Folger moved to take from the table the veto message of His Excellency the Governor upon the bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	O'Donnell	Thayer	
Chapman	Kennedy	Nicks	Palmer	Williams	
Crowley					11

## FOR THE NEGATIVE.

Banks	Creamer	Hale	Murphy	Pierce	
Beach	Edwards	Hubbard	Nichols	Stanford	
Bradley	Genet	Mattoon	Norton	Tweed	
Cauldwell	Graham	Morris	Parker	Van Petten	20

Mr. Folger moved to take from the table the veto message on the bill entitled "An act to authorize the construction of a railroad in One Hundred and Twenty-fifth street, and other streets and avenues in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Nichols moved that the bill entitled "An act for the better protection of persons traveling upon railroads," reported from a majority of the select committee on that subject, and also the bill entitled "An act for the better protection of persons traveling upon railroads," reported from the minority of said select committee, be made a special order to-morrow, immediately after reading the Journal:

Mr. Hubbard moved to amend by including the Assembly bill entitled "An act to aid in the construction of the Albany and Susquehanna railroad."

Mr. Genet moved to amend by including also the bill entitled "An act to provide for transportation, under ground, in the city of New York, and to authorize the organization of a railroad corporation for that purpose."

Mr. O'Donnell moved to lay the motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Morgan	O'Donnell	Stanford	
Cauldwell	Mattoon	Nicks	Parker	Thayer	10

FOR THE NEGATIVE.

Beach	Edwards	Hubbard	Nichols	Tweed	
Bradley	Folger	Kennedy	Norton	Van Petten	
Chapman	Genet	Morris	Pierce	Williams	
Creamer	Hale				17

The President then put the question whether the Senate would agree to said motion of Mr. Genet to amend, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nicks	Thayer	
Beach	Folger	Mattoon	Norton	Tweed	
Cauldwell	Genet	Morgan	Pierce	Williams	
Chapman	Graham				17

FOR THE NEGATIVE.

Bradley	Hale	Morris	O'Donnell	Stanford	
Campbell	Kennedy	Nichols	Parker	Van Petten	
Edwards					11

Mr. Creamer moved to amend the motion of Mr. Nichols as follows: "That the general orders be made the special order to-morrow, immediately after third reading of bills."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Kennedy	Norton	Thayer	
Beach	Crowley	Mattoon	O'Donnell	Tweed	
Campbell	Edwards	Morgan	Palmer	Van Petten	
Cauldwell	Hale	Murphy	Pierce	Williams	
Chapman	Hubbard	Nicks	Stanford		24

FOR THE NEGATIVE.

Folger	Morris	Nichols			8
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The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hubbard gave notice that he would at some future day, move to suspend so much of rule 28 as provides that no bill shall be read a third time on the same day it is ordered to a third reading, so that during the remainder of the session, bills ordered to a third reading may be read.

Mr. Mattoon called for the consideration of the resolution, in the words following:

*Resolved* (if the Senate concur), That the same number of copies of the annual reports of the New York State Agricultural Society and the

American Institute, be printed, as was ordered published by the Legislature of 1867.

The President put the question whether the Senate would agree to resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Van Petten offered the following resolution:

*Resolved*, That one thousand (1,000) copies of Professor Dalton's report to the Agricultural Society of the State of New York, be printed for the use of the society.

*Ordered*, That said resolution be referred to the committee on public printing.

Mr. Van Petten gave notice that he would on some future day move to suspend so much of the 40th rule as prevents a motion being reconsidered more than once.

Mr. O'Donnell moved that the committee on finance be discharged from the further consideration of the report of the Comptroller upon returns made by corporations of the amount of their capital stock, &c., and that the same be laid on the table and printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. .)

Mr. Parker moved that the Senate hold an executive session to-morrow at 4 o'clock P. M.

Mr. O'Donnell moved to amend by striking out "4," and inserting "12."

Mr. Morgan moved to amend by striking out "4," and inserting "5."

Mr. Tweed moved to lay the motion upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

#### FOR THE AFFIRMATIVE.

Banks	Chapman	Genet	Morris	Pierce
Beach	Creamer	Graham	Murphy	Stanford
Bradley	Crowley	Hale	Nichols	Tweed
Campbell	Edwards	Hubbard	Norton	Van Petten
Cauldwell	Folger	Mattoon	O'Donnell	24

#### FOR THE NEGATIVE.

Kennedy	Nicks	Parker	Thayer	Williams
Morgan	Palmer			7

On motion of Mr. Van Petten, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the magistrates in the city of New York to commit orphans and friendless children to the care of the society known as the Shepherd Fold of the Protestant Episcopal Church," was recommitted to the committee on charitable and religious societies, with power to report complete.

On motion of Mr. Stanford, and by unanimous consent, the rules were suspended, and the bill entitled "An act to protect the State in its revenues and tolls," was recommitted to the committee on canals, with power to report complete.

Mr. Stanford, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.



On motion of Mr. Stanford, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act for the preservation of the public health, passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," was recommended to the committee on public health and medical societies, with power to report complete.

Mr. Banks offered the following resolution:

*Resolved*, That the Clerk of the Senate be directed to furnish twenty-five copies of the Red Book to each member, officer and reporter of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Palmer	Thayer	
Beach	Hale	Morgan	Pierce	Van Petten	
Cauldwell	Hubbard	Morris	Stanford	Williams	
Edwards	Kennedy	Norton			18

FOR THE NEGATIVE.

Bradley	Chapman	Folger	Murphy	Nicks	
Campbell	Crowley	Genet	Nichols	Parker	10

On motion of Mr. Thayer, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to authorize the board of trustees of the village of West Troy to purchase a lot and build a house for the use of John Duffy Steam Fire Company and Tinney Hose Company," was recommended to the committee on municipal affairs, with power to report complete.

On motion of Mr. Thayer, and by unanimous consent, the Assembly bill entitled "An act for the relief of the towns of Fort Edward and Hebron, Washington county, and also Stephen Van Dresar of Rome, Oneida county," was recommended to the committee on the judiciary, with power to report complete at any time.

Mr. Palmer moved to make the following entitled Assembly bills the special order for to-morrow at 4½ o'clock:

"An act to amend an act entitled 'An act in relation to the Croton Aqueduct department in the city of New York,' passed April 8, 1867."

"An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York."

A division of the question being called for,

The President put the question whether the Senate would agree to so much of said motion as relates to the first named bill, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	Nicks	Pierce	
Campbell	Hale	Morgan	Norton	Thayer	
Cauldwell	Hubbard	Morris	Palmer	Van Petten	
Creamer	Kennedy	Murphy	Parker	Williams	
Edwards					21

FOR THE NEGATIVE.

Beach	Crowley	Genet			8
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The President then put the question whether the Senate would agree to so much of said motion as relates to the second named bill, and it was

decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Tweed
Bradley	Folger	Morgan	Palmer	Van Petten
Chapman	Hale	Morris	Pierce	Williams
Creamer	Hubbard	Nichols	Thayer	

19

## FOR THE NEGATIVE.

Beach	Crowley	Graham	O'Donnell	Parker
Campbell	Genet	Norton		

8

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by the water of the Champlain canal, in the town of Fort Edward, Washington county," was recommitted to the committee on claims, with power to report complete.

Mr. Norton moved to take from the table the bill entitled "An act to incorporate the Mutual Benefit Savings Bank in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Norton moved to non-concur in the amendments of the Assembly to said entitled bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to authorize the city of Syracuse to loan its credit in aid of the Syracuse and Chenango Valley Railroad Company."

"An act relating to the old burying ground in the village of Fulton, Oswego county."

"An act to declare the village of Williamsville a separate road district, and to provide means, by tax therein, for keeping streets, alleys, sidewalks and crosswalks in repair."

"An act for the relief of Giles Shell and others, owners of lands lying adjacent to Tonawanda creek."

"An act to incorporate 'The Park Savings Bank of Brooklyn.'"

"An act to authorize certain towns and villages in the counties of Onondaga, Madison, and Chenango, to issue bonds to take stock in the Syracuse and Chenango Valley Railroad Company."

"An act in relation to Franklin avenue, in the town of West Farms, in the county of Westchester."

"An act to prevent burials near the reservoirs and ponds used for the supply of the city of Brooklyn with water."

"An act to amend chapter 659 of the Laws of 1865, entitled "An act in relation to the collection of taxes in the city of Utica."

"An act to provide the means to increase the revenues of the sinking fund, under section 3 of article 7 of the Constitution, so as to make such fund sufficient to preserve the public faith."

"An act to incorporate the Freewill Baptist General Conference of North America."

"An act declaring the effect of judgments of the courts of countries foreign to the United States."

"An act to amend chapter 596 of the Laws of 1865, being an act to amend an act entitled 'An act to provide for the purchase or construction and maintenance of a free bridge across the Mohawk river, at Amsterdam, in the county of Montgomery.'"

"An act to amend an act entitled 'An act concerning the proof of wills, executors, administrators, guardians and wards, and surrogates' courts,' passed May 16, 1837."

"An act to authorize the purchasing and applying of disinfectants for use in prisons."

"An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853, passed April 24, 1866."

"An act to incorporate the Coxsackie Savings Institution."

"An act supplementary to an act entitled 'An act declaring the village of Adams a valid corporation, passed May 26, 1853.'"

"An act to authorize the Poorman's Gold and Silver Mining Company of Idaho to change its place of business."

"An act to amend an act entitled 'An act to incorporate the Binghamton Savings Bank in the village of Binghamton, Broome county, New York,' passed April 18, 1867."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to incorporate the Producers' and Dealers' Milk Company," with a message that they had non-concurred in the passage of the same.

The Assembly returned the following entitled bill, with a message that they had concurred in the amendments of the Senate thereto:

"An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith."

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the bills entitled as follows:

"An act to incorporate the New York Elevator Company."

"An act to enable the taxpaying electors of the village of Geneseo to raise money in aid of the Wadsworth normal and training school, located in that village."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to amend chapter 565, Laws of 1867, entitled 'An act to incorporate the Buffalo City Railway Company,'" with a message informing that they had passed the same, with the following amendments:

Strike out "William S. Bull," in third line, and insert "Miles Jones, Henry R. Jones, Thomas Clark, John Greenough, James H. Metcalf, Jacob Dold, Marshall W. Jones, David F. Day."

Mr. Nichols moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to enable the electors of the town of Onondaga, Onondaga county, to hold their town elections in the separate election districts thereof," with a message informing that they had passed the same, with the following amendment:

Strike out section 18, and insert the following:

"§ 18. This act shall take effect when a majority of the voters voting in said town of Onondaga at the next annual election, shall by ballot declare in favor of this act."

Mr. Kennedy moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Beach, the Senate adjourned.

## SATURDAY, MAY 2, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sprague.

The journal of yesterday was read and approved.

The President having announced the order of business, pursuant to the 9th joint rule, as third reading of bills.

The Assembly bill entitled "An act to incorporate Bowling Green Savings Bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Stanford	
Beach	Chapman	Hale	Morgan	Thayer	
Bradley	Edwards	Hubbard	Nichols	Van Petten	
Campbell	Genet	Kennedy	Parker		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

### FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Mattoon	Nichols	
Cauldwell	Edwards	Hale	Morgan	Parker	
Chapman	Folger	Hubbard	Morris	Van Petten	15

### FOR THE NEGATIVE.

Campbell	Graham	Stanford	Thayer	4
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Mr. Parker moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the levying of a tax on the town of Whitestown, Oneida county, to liquidate the indebtedness of said town for roads and bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

### FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Mattoon	Parker
Campbell	Edwards	Hale	Morgan	Stanford

Cauldwell	Folger	Hubbard	Morris	Thayer
Chapman	Genet	Kennedy	Nichols	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to common schools in the city of Lockport," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Graham	Mattoon	Parker
Campbell	Edwards	Hale	Morgan	Pierce
Cauldwell	Folger	Hubbard	Morris	Thayer
Chapman	Genet	Kennedy	Nichols	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, as subsequently amended," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morgan	Pierce
Campbell	Edwards	Hubbard	Morris	Stanford
Cauldwell	Folger	Kennedy	Nichols	Thayer
Chapman	Graham	Mattoon	Parker	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the consolidation of the Greenpoint and Williamsburgh railroad with the Nassau railroad of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Morgan	Pierce
Campbell	Folger	Hubbard	Morris	Stanford
Cauldwell	Genet	Kennedy	Nichols	Thayer
Creamer	Graham	Mattoon	Parker	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the construction of a railroad from the village of Olean to the Erie railway depot at Olean," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Nichols	Stanford
Campbell	Genet	Kennedy	Norton	Thayer
Cauldwell	Graham	Mattoon	Parker	Tweed
Chapman	Hale	Morris	Pierce	Van Petten
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the charter of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Kennedy	Nichols	Stanford
Bradley	Edwards	Mattoon	Norton	Tweed
Cauldwell	Genet	Morgan	Parker	Van Petten
Chapman	Hubbard	Morris	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the city of Rochester to issue new bonds to retire its present bounty bonds when due," having been announced for a third reading,

Mr. Morgan moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct a swing or draw bridge over the entrance from the Erie canal to the basin, near Rexford Flats post-office, in the town of Clifton Park, county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Thayer
Bradley	Genet	Morgan	Parker	Tweed
Campbell	Graham	Morris	Pierce	Van Petten
Cauldwell	Hubbard	Nicks	Stanford	Williams
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the building of a road and bridge across the stream that constitutes the division line between the towns of Huntington and Islip, in the county of Suffolk, and for the general improvement of the roads and bridges in the said towns," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Stanford
Campbell	Genet	Mattoon	Norton	Thayer
Cauldwell	Graham	Morgan	Parker	Tweed
Chapman	Hale	Morris	Pierce	Williams
Edwards	Hubbard	Nichols		

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the towns of Mayfield and Northampton, in the county of Fulton, and the towns of Hope, Benson, Wells and Lake Pleasant, in the county of Hamilton, to issue bonds and subscribe and take, for said towns, capital stock in the Gloversville, Mayfield and Northville Railroad Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Edwards	Mattoon	Nicks	Tweed
Campbell	Genet	Morgan	Parker	Van Petten
Cauldwell	Graham	Morris	Pierce	Williams
Chapman	Hale			

22

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the 'Teutonia Savings Bank' of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Pierce
Bradley	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Morgan	Norton	Van Petten
Chapman	Hale	Morris	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the People's Mutual Warehousing and Security Company of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Parker	Tweed
Bradley	Genet	Morgan	Pierce	Van Petten

Cauldwell	Graham	Morris	Thayer	Williams	
Creamer	Hubbard	Norton			18

## FOR THE NEGATIVE.

Chapman	Folger				2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the election of an additional justice of the peace for the city of Brooklyn, and to create an additional district therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Thayer	
Bradley	Graham	Morgan	Parker	Tweed	
Cauldwell	Hale	Morris	Pierce	Van Petten	
Chapman	Hubbard	Nichols	Stanford	Williams	
Creamer	Kennedy	Nicks			28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Morgan	Pierce	
Bradley	Crowley	Hale	Morris	Stanford	
Campbell	Edwards	Hubbard	Nichols	Thayer	
Cauldwell	Folger	Kennedy	Nicks	Van Petten	
Chapman	Genet	Mattoon	Norton		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the town of Manlius, Onondaga county, to appropriate money for the erection of a monument to the memory of soldiers killed in the late war," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morgan	Stanford	
Bradley	Edwards	Hubbard	Morris	Thayer	
Campbell	Folger	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Nicks	Van Petten	
Chapman	Graham				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Canistota



to raise money for the benefit of Canisteo Academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Mattoon	Norton
Bradley	Edwards	Hale	Morgan	Parker
Campbell	Folger	Hubbard	Nichols	Pierce
Cauldwell	Genet	Kennedy	Nicks	Thayer
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Parker
Bradley	Edwards	Kennedy	Nichols	Pierce
Campbell	Folger	Mattoon	Nicks	Stanford
Cauldwell	Genet	Morgan	Norton	Van Petten
Chapman	Graham			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate a seminary of education under the name of 'The Clifton Springs Female Seminary,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Nichols	Pierce
Bradley	Edwards	Hubbard	Norton	Stanford
Campbell	Folger	Kennedy	Parker	Thayer
Cauldwell	Genet	Morris		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate 'The Mutual Savings Bank of Brooklyn,' passed April 24, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Murphy	Pierce
Bradley	Genet	Mattoon	Nichols	Thayer

Campbell	Graham	Morgan	Norton	Tweed	18
Cauldwell	Hubbard	Morris			

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to release certain escheated lands to Margaret Zachariassen," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Morris	Pierce	
Bradley	Edwards	Hubbard	Murphy	Thayer	
Campbell	Folger	Mattoon	Nichols	Van Patten	
Cauldwell	Genet	Morgan	Nicks	Williams	
Chapman	Graham				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in relation to transfer of securities deposited by insurance companies with the Superintendent of the Insurance Department," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Pierce	
Bradley	Folger	Mattoon	Nicks	Stanford	
Campbell	Hale	Morgan	Norton	Thayer	
Cauldwell	Hubbard	Morris	Parker	Van Patten	20

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to regulate the sale of coal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Pierce	
Bradley	Folger	Kennedy	Nichols	Stanford	
Cauldwell	Graham	Mattoon	Nicks	Thayer	
Chapman	Hale	Morgan	Parker	Van Patten	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the printing contract entered into for printing at Sing Sing prison, with James B. Swain and Francis B. Fisher," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hale	Murphy	Tweed	
Bradley	Creamer	Hubbard	Nicks	Van Petten	
Campbell	Edwards	Morgan	Stanford	Williams	
Cauldwell	Graham	Morris	Thayer		19

## FOR THE NEGATIVE.

Mattoon 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the Cosmos Life Policy Trust Company of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Genet	Morgan	Parker	Thayer	
Chapman	Graham	Morris	Pierce	Van Petten	
Creamer	Hubbard	Nichols	Stanford	Williams	
Edwards	Mattoon	Nicks			18

## FOR THE NEGATIVE.

Campbell Folger O'Donnell 8

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to divide the Eighth and Tenth wards, and create a new ward in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Stanford	
Campbell	Graham	Mattoon	Nicks	Thayer	
Cauldwell	Hale	Morgan	Palmer	Tweed	
Creamer	Hubbard	Morris	Parker	Williams	
Edwards					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer moved to take from the table the motion to reconsider the vote upon third reading of Assembly bill entitled "An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Nicks	Pierce	
Cauldwell	Hubbard	Morris	Palmer	Tweed	

Creamer	Kennedy	Nichols	Parker	Van Petten	
Edwards	Mattoon				17

## FOR THE NEGATIVE.

Beach	Folger	Genet			3
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Cauldwell	Hale	Morgan	Nicks	Thayer	
Chapman	Hubbard	Morris	Palmer	Tweed	
Creamer	Kennedy	Murphy	Pierce	Van Petten	
Edwards	Mattoon	Nichols			18

## FOR THE NEGATIVE.

Beach	Campbell	Folger	Genet	Stanford	5
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to building and repairing sidewalks in the village of Wellsville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nichols	Stanford	
Campbell	Genet	Mattoon	Nicks	Thayer	
Cauldwell	Graham	Morgan	Parker	Tweed	
Chapman	Hale	Morris	Pierce	Van Petten	
Creamer	Hubbard				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the street commissioner of the village of Belmont, in the county of Allegany, to lay out and establish a highway or street in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford	
Campbell	Hale	Morgan	Palmer	Thayer	
Cauldwell	Hubbard	Morris	Parker	Tweed	
Chapman	Kennedy	Nichols	Pierce	Van Petten	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to facilitate the construction of the Buffalo and Washington railway, and to authorize towns to subscribe to the capital stock thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Chapman	Hubbard	Nichols	Pierce
Bradley	Creamer	Mattoon	Nicks	Stanford
Campbell	Edwards	Morgan	Palmer	Thayer
Cauldwell	Hale	Morris	Parker	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the directors of the Mutual Insurance Company of New Scotland, Albany county, to insure on the cash system, and to increase their risks," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Hale	Morgan	Palmer	Stanford
Cauldwell	Hubbard	Morris	Parker	Tweed
Creamer	Kennedy	Nichols	Pierce	Van Petten
Edwards	Mattoon	O'Donnell		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release to Benjamin Sanchez the title of the people of the State of New York, acquired by escheat, in and to certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Mattoon	Nicks	Stanford
Campbell	Graham	Morgan	Norton	Thayer
Cauldwell	Hale	Morris	O'Donnell	Van Petten
Creamer	Hubbard	Nichols	Pierce	Williams
Edwards	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Morgan, from the committee on engrossed bills, reported that they have compared the following entitled bills with the originals and amendments of the Assembly, and find the same correctly re-engrossed:

"An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn."

"An act to incorporate the Isthmus Canal Company."

"An act to incorporate the East New York Savings Bank."

"An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town."

The Assembly bill entitled "An act to divide the Ninth ward, and create a new ward in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Mattoon	Nichols	Stanford
Campbell	Graham	Morgan	Nicks	Thayer
Cauldwell	Hubbard	Morris	O'Donnell	Tweed
Chapman	Kennedy	Murphy	Pierce	Van Petten
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. O'Donnell, from the conference committee, submitted the following:

The committee of conference on the part of the Senate and Assembly, to which was referred the Assembly bill entitled "An act making appropriations for the support of government," with the amendments of the Senate to the same, submit the following report and recommend its adoption:

That the Senate shall concur with the Assembly in making the appropriation for the Geological Hall \$3,500; the traveling expenses of the Inspectors of State Prisons, each \$900; the appropriation for the National Guard \$150,000, as detailed more fully below.

Also, concurring with the Assembly in naming John T. Hudson as additional commissioner of the new Capitol, as shown in the paragraph relating to that subject.

Also, engrossed bill, page 7, lines 12, 13 and 14, the Senate recedes from their amendment, leaving the appropriation as stated in said bill.

That the Assembly concur with the following amendments of the Senate:

Engrossed bill, page 1, under head of "Executive Department," striking out the reference to chapter 476 of the Laws of 1866; also raising the appropriation for compensation of clerks and messengers to \$4,500.

Page 2, line 7, raising the appropriation for clerks and messengers in the office of the Clerk of the Court of Appeals, from \$3,000 to \$3,500.

Page 3, line 11, increasing the appropriation for the transfer office of the Manhattan Company from \$500 to \$750.

Page 5, adding at the end of the third line the following words: "but no payment shall be made by the Comptroller upon such salary till an amount equivalent to such payment shall be received by him from the gas companies, or some of them."

Same page, line 15, adding to the appropriation of the commissioners of public accounts, after the words "five hundred," the words "and fifty"

Same page, lines 19 and 20, striking out the words "pursuant to chapter 476 of the Laws of 1866."

Page 6, line 3, adding after the word "dollars," the following: "For the special increase and preservation of zoological collections, \$1,000."

Same page, line 5, change the words "fifteen hundred dollars" to the words "two thousand five hundred dollars."

Same page, line 18, being the reference to books for State Library, increasing the appropriation for purchase of books from \$2,500 to \$4,000; for binding, lettering, &c. books, from \$1,500 to \$1,700; and for transportation of books, from \$500 to \$1,000.

Same page, line 25, changing the paragraph in relation to the Geological Hall, after the words "necessary expenses," so as to read thus: "All bills and charges to be audited and paid only on the joint certificate of the secretary of the Board of Regents of the University and the

Comptroller," and both committees agreeing to make the appropriations \$3,500.

Also adding the following amendment:

**"THE NEW CAPITOL.**

"For the new capitol, two hundred and fifty thousand dollars. Hamilton Harris, John V. L. Pruyn, Obadiah B. Latham, James S. Thayer, Alonzo B. Cornell, William A. Rice, James Terwilliger and John T. Hudson are hereby appointed commissioners for the purpose of erecting the new capitol, in place of the present board. They shall proceed to take additional land, comprising Hawk street, and one-half of the block of land adjoining such street on the west thereof, between Washington avenue and State street, in the name of the State, and lay out a street running through from Washington avenue to State street, of such width as they may deem proper, on the west end of the land so taken, which land is hereby appropriated for the purposes of such new capitol and street, and declared to be taken for public use.

In case the said commissioners are unable to agree with the owners of any such lands and real estate for the purchase thereof, they shall cause the same to be taken in the manner, and by the like special proceedings as are authorized for obtaining title to real estate required for the purposes of a railroad corporation under the act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same, passed April 2, 1850, and any acts amendatory thereof, or in addition thereto,' and such modifications may be made in the formal parts of the proceedings, in order to make them applicable to the purpose, as shall be approved by the Supreme Court.

"The said commissioners shall review the plans which have been adopted for the new capitol, and may change and modify the same or adopt others in their place, as they may deem advisable and proper; provided, however, that they shall not proceed to the construction of the said new capitol unless they shall be satisfied that the expense thereof shall not exceed, when completed, the sum of four millions of dollars. The building known as Congress Hall building, and the present capitol and State Library buildings, shall not be removed or disturbed until further directions by the Legislature."

Sixth page, line 33, after the word "hundred," inserting the words "and five."

Page 7, line 2, change the words "two hundred and fifty dollars" to "five hundred dollars." Same page, line 7, both committees agree to change the words "six hundred" to the words "nine hundred." Same page, line 32, changing the appropriation for the Asylum for Insane Convicts from \$15,000 to \$16,000. Same page, line 39, changing the appropriation for female insane convicts from \$500 to \$600.

Page 8, line 1, increasing the appropriation from \$35,000 to \$40,000. Same page, line 2, striking out the words "thirty thousand dollars," and inserting the words "thirty-five thousand dollars." Same page, line 16, after the word "forty," add the word "five." Same page, line 25, both committees concurring in the change making the \$200,000 appropriated for the militia \$150,000. Same page, strike out the word "ten," and insert in lieu thereof the word "twenty," in line 37.

Page 9, line 31, strike out the word "fifty," and insert in lieu thereof the word "thirty." Same page, lines 33 and 34, changing the words "one thousand and five hundred" to the words "one thousand." Same page, after line 44, insert as follows: "for the Commissioners of Pilots, for payment of expenses necessarily incurred in executing the several

laws relating to the harbor of New York, four thousand five hundred dollars."

Page 10, line 42, strike out the word "seven," and insert in lieu thereof the word "four." Page 11, after line 22, add the following: "For the State Normal School, for its maintenance, eighteen thousand dollars. For the Normal and Training School, at Oswego, for its maintenance, sixteen thousand dollars."

Page 11, strike out lines 18, 19 and 20, and insert as follows:

"For teachers of common schools, for their instruction in those academies which the Regents of the University shall designate for that purpose, pursuant to chapter 235 of the Laws of 1852, as amended by chapter 410 of the Laws of 1855, eighteen thousand dollars.

"§ 2. The amounts herein appropriated shall be paid by the treasurer from the respective funds as specified, and the salaries named shall be established and fixed by this act for the several officers for whom they are designated; but the Comptroller shall not draw his warrant for payment of the several amounts heretofore named, except for salaries and other expenditures and appropriations, the amounts of which are duly established and fixed by law, till the persons demanding them shall present to him a detailed statement in items of the same; and if such account shall be for services, it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished, when and where they were furnished, to whom they were delivered, and under what authority; and if the demand shall be for traveling expenses, the account must also specify the distance traveled, the places of starting and destination, the duty or business, the date and items of expenditure. All accounts must be verified by an affidavit, to the effect that the account is true, just and correct, and that no part of it has been paid, but is actually and justly due, and owing. On all accounts for transportation, furniture, blank and other books, purchased for the use of office, binding blanks, printing, stationery, postage, cleaning, and other necessary incidental expenses, a bill duly receipted must also be furnished; and it shall be the duty of the treasurer to report annually to the Legislature the detail of these several expenditures.

"§ 3. All institutions and societies entitled by law to receive money from the State, shall make an annual report to the Legislature on or before the fifteenth day of January in each year, and no such money shall be paid in any such case until such report is made therein."

All of which is respectfully submitted,

J. O'DONNELL,  
CHAS. J. FOLGER,  
WM. M. TWEED,  
*Senate Committee.*

JOHN L. FLAGG,  
JOHN C. JACOBS,  
WM. C. BENTLEY,  
JACKSON A. SUMNER,  
J. H. SELKREG,  
*Assembly Committee.*

May 2, 1868.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley  
Cauldwell  
Chapman  
Creamer

Edwards  
Folger  
Genet  
Hale

Hubbard  
Kennedy  
Mattoon  
Morgan

Murphy  
Nichols  
Nicks  
O'Donnell

Parker  
Thayer  
Tweed  
Van Patten



*Ordered*, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

The Assembly bill entitled "An act to amend an act entitled 'An act for making indices of the deeds, mortgages, writings, documents and maps of record in the county of Richmond, and for the payment of the cost and expenses thereof, and of the books and materials required for the same,' passed May 16, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Thayer	
Bradley	Creamer	Mattoon	Nicks	Tweed	
Campbell	Edwards	Morgan	Parker	Van Petten	
Cauldwell	Hubbard	Morris	Stanford	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Williamsburgh Sharpshooters' Society of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Nicks	Stanford	
Bradley	Hale	Morgan	Parker	Van Petten	
Cauldwell	Hubbard	Morris	Pierce	Williams	
Edwards	Kennedy	Nichols			18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable incorporated rural cemeteries in Schoharie county to acquire title to lands where the owner or owners are unwilling to sell, or where the cemetery association and the owners cannot agree upon the value thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Kennedy	Nichols	Stanford	
Beach	Edwards	Mattoon	Nicks	Thayer	
Bradley	Graham	Morgan	Norton	Tweed	
Campbell	Hubbard	Morris	Parker	Van Petten	
Cauldwell					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to close a portion of Old Bushwick road or avenue, from Grand street to Marshall street, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Nicks	Thayer	
Campbell	Graham	Morgan	Parker	Tweed	
Cauldwell	Hubbard	Morris	Pierce	Van Petten	
Edwards	Kennedy	Nichols	Stanford	Williams	
Folger					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize towns in the counties of St. Lawrence and Franklin, to issue bonds and take stock in any company that shall be legally organized within five years after the passage of this act, for the purpose of building a railroad from Potsdam Junction, St. Lawrence county, northeasterly through or into both of said counties, to some point on the Province line," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Norton	Thayer	
Bradley	Edwards	Hubbard	Parker	Tweed	
Campbell	Genet	Mattoon	Pierce	Van Petten	
Cauldwell	Graham	Morris	Stanford		19

## FOR THE NEGATIVE.

Nicks	Williams	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to incorporate the New York Dramatic Union of the city of New York," having been announced for third reading,

Mr. Creamer moved to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of Laws of 1864, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children at the city of Buffalo,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Crowley	Hale	Murphy	Stanford	
Bradley	Edwards	Hubbard	Nichols	Thayer	
Cauldwell	Genet	Mattoon	Norton	Tweed	
Creamer	Graham	Morris	Pierce	Van Petten	20

## FOR THE NEGATIVE.

Campbell	Parker
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act in relation to the fees of the clerk of the county of Kings, passed May 12, 1865,' passed March 23, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Kennedy	Nicks	Stanford
Bradley	Graham	Morris	Norton	Tweed
Campbell	Hale	Murphy	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Pierce	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the correction of assessments and equalization of taxes, being chapter 453 of the Laws of 1865,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Nicks	Thayer
Bradley	Folger	Mattoon	Norton	Tweed
Campbell	Genet	Morris	Pierce	Van Petten
Cauldwell	Graham	Nichols	Stanford	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide against goats running at large in the town of Greenburgh, county of Westchester, and State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Tweed
Bradley	Hale	Morgan	Pierce	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Creamer	Kennedy			

17

## FOR THE NEGATIVE.

Genet	Graham	Parker	Thayer
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4

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widen-

ing of Middle street in said city, and changing the name of same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Nichols	Stanford
Bradley	Hale	Morgan	Palmer	Thayer
Creamer	Hubbard	Morris	Parker	Tweed
Edwards	Kennedy	Murphy	Pierce	Van Petten

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the National Savings Bank of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Graham	Morris	Parker	Tweed
Campbell	Hale	Nicks	Pierce	Van Petten
Cauldwell	Hubbard	Norton	Stanford	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the boards of supervisors of the counties of Oswego and Onondaga to raise money to complete the payments for the construction of a bridge across the Oneida river, known as Schroeppel's bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Hubbard	Norton	Stanford
Campbell	Folger	Kennedy	Palmer	Thayer
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hale	Nichols	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend section 2 of chapter 534 of the Laws of 1866, and to legalize the acts of supervisors," was read third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy
Bradley	Folger	Mattoon	Nicks

Pierce	Stanford
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Campbell	Graham	Morgan	O'Donnell	Van Petten	
Cauldwell	Hale	Morris	Parker	Williams	
Creamer					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide payment to the Seventh Regiment, National Guard, of the annual appropriation due under section 183 of the Military Code, for the years 1862, 1863, 1864 and 1865," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Morgan	Parker	
Bradley	Folger	Hubbard	Morris	Stanford	
Cauldwell	Genet	Kennedy	Nichols	Thayer	
Creamer	Graham	Mattoon	Palmer	Van Petten	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Canal Commissioners to construct embankments and walls on the west bank of the outlet of the DeRuyter reservoir, in the town of Fabius," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Stanford	
Bradley	Edwards	Kennedy	Nichols	Thayer	
Campbell	Graham	Mattoon	Parker	Van Petten	
Cauldwell	Hale	Morgan	Pierce	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Murphy	Pierce	
Campbell	Graham	Mattoon	Norton	Stanford	
Cauldwell	Hale	Morgan	Palmer	Van Petten	
Creamer	Hubbard	Morris	Parker		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the more effectual protection of fruit growers against trespassers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Parker
Beach	Creamer	Hubbard	Nichols	Stanford
Bradley	Edwards	Mattoon	Nicks	Van Petten
Campbell	Graham	Morgan	Palmer	Williams

20

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Arcade Underground Railway Company, and to provide for the construction of an Arcade Underground Railway in the city of New York," having been announced for a third reading,

Mr. Parker moved to recommit said bill to the committee on railroads, with instructions to amend the same, as follows:

Substitute for the amendment relating to vaults, and to be added at the end of section 11:

"Nor shall it be lawful for said company to remove or appropriate any vault in front of any building on Broadway above City Hall park, without having obtained the consent, in writing, of the persons owning a majority of the lots fronting on Broadway along the line of said railway between said City Hall park and Thirty-Fourth street, except such portions as extend beyond the curbstone and under the roadway of said street; but nothing in this section shall prevent the said company from removing any vault after having obtained the consent of the owner or owners thereof. Nor shall anything in this act be construed to authorize the construction of a tunnel road, or a road upon a plan, different from that which the said company is authorized to construct below said City Hall park. Nor shall said company release any person from any liability assumed by the subscription for any part of its capital stock; but nothing herein shall be construed to impose any liability beyond the full payment of the amount subscribed by each respectively. And the said company in carrying on the work of excavating the said street, and the construction of said railway, shall be subject to the direction of the board of commissioners provided for in section 13 of this act, or a majority thereof, so far as relates to the means to be taken to secure the buildings and property on Broadway from injury."

The President put the question whether the Senate would agree to said motion to recommit, and it was decided in the affirmative.

## FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Nichols	Parker
Chapman	Hale	Morgan	Nicks	Stanford
Creamer	Humphrey	Morris	Palmer	Van Petten

15

## FOR THE NEGATIVE.

Bradley	Crowley	Genet	Murphy	Pierce
Campbell	Edwards	Hubbard	Norton	Thayer
Cauldwell	Folger			

12

Mr. Parker, from the committee on railroads, reported back said bill with amendments, as instructed by the Senate.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Nicks	Stanford	
Chapman	Humphrey	Morgan	Palmer	Van Petten	
Graham	Kennedy	Morris	Parker		14

FOR THE NEGATIVE.

Bradley	Creamer	Folger	Murphy	Pierce	
Campbell	Crowley	Genet	Nichols	Thayer	
Cauldwell	Edwards	Hubbard	Norton	Williams	15

Mr. Parker moved to reconsider the vote just taken, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Hale	Morris	O'Donnell	Stanford	
Chapman	Kennedy	Nichols	Palmer	Van Petten	
Creamer	Mattoon	Nicks	Parker	Williams	
Graham	Morgan				17

FOR THE NEGATIVE.

Bradley	Crowley	Genet	Murphy	Pierce	
Campbell	Edwards	Hubbard	Norton	Thayer	
Cauldwell	Folger				12

The Assembly bill entitled "An act to provide ways and means for the support of government," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Crowley	Hubbard	Morris	Palmer	
Bradley	Edwards	Humphrey	Murphy	Parker	
Campbell	Folger	Kennedy	Nichols	Pierce	
Cauldwell	Graham	Mattoon	Nicks	Van Petten	
Chapman	Hale	Morgan	Norton	Williams	
Creamer					26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Assembly have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the return of State and regimental flags to State and county officers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Hubbard	Morris	Stanford	
Beach	Genet	Kennedy	Nichols	Thayer	
Campbell	Graham	Mattoon	O'Donnell	Van Petten	
Cauldwell	Hale	Morgan	Palmer	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Assembly have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of Argyle, in the county of Washington, to raise money by tax for the erection of a court house and jail therein, for said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Morris	Stanford
Beach	Edwards	Kennedy	Nicks	Thayer
Bradley	Folger	Mattoon	Norton	Van Petten
Campbell	Graham	Morgan	Parker	Williams
Cauldwell	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the West Farms fire department,' passed April 17, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Mattoon	Parker
Beach	Creamer	Hale	Morgan	Stanford
Bradley	Edwards	Hubbard	Nichols	Thayer
Campbell	Genet	Kennedy	Norton	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal chapter 454 of the Laws of 1863, entitled 'An act in relation to non-resident highway taxes upon certain lands in the counties of Essex and Hamilton,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hale	Morgan	Norton
Beach	Folger	Hubbard	Morris	Thayer
Bradley	Genet	Kennedy	Nichols	Van Petten
Cauldwell	Graham	Mattoon		

18

## FOR THE NEGATIVE.

Campbell	O'Donnell
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2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Thayer moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.



The Assembly bill entitled "An act to incorporate the Women's Aid Association of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Hubbard	Murphy	Stanford
Beach	Folger	Kennedy	Nichols	Thayer
Campbell	Graham	Morgan	Nicks	Van Petten
Cauldwell	Hale	Morris	O'Donnell	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the East Side Association of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Norton	Thayer
Cauldwell	Graham	Morgan	Pierce	Van Petten
Chapman	Hubbard	Morris	Stanford	Williams
Crowley	Kennedy	Nichols		

18

## FOR THE NEGATIVE.

Nicks	O'Donnell	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize the acts of G. S. Sawins, Samuel Hopper, Joseph Newton, H. W. Seymour and S. H. Kirkland, as trustees of the corporation of the village of Antwerp," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Murphy	Stanford
Bradley	Edwards	Mattoon	Nichols	Thayer
Campbell	Folger	Morgan	Nicks	Van Petten
Cauldwell	Graham	Morris	O'Donnell	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend Lorimer street, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Murphy	Stanford
Bradley	Edwards	Mattoon	Nichols	Thayer
Campbell	Folger	Morgan	Nicks	Van Petten
Cauldwell	Graham	Morris	Pierce	Williams
Chapman	Hubbard			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the common council of the city of Buffalo to procure printing and advertising to be done for said city, in a newspaper printed in the English or German language, other than the official paper of said city, and to pay therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	Nichols	Stanford
Bradley	Genet	Morgan	Nicks	Thayer
Campbell	Hubbard	Morris	Parker	Van Petten
Cauldwell	Kennedy	Murphy	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bills entitled as follows:

"An act to authorize the sale of block No. 3, known as Montcalm Park, in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize a change of route of a certain railroad in Bergen street, Brooklyn, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to fix the compensation of the treasurer of Chautauqua county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate the Home Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the repayment to Joseph Pratt, of the town of Canisteo, in the county of Steuben, of certain over tax on property, levied and collected from him for the year 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the regulation of public cemeteries in Saratoga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to amend an act in relation to the courts of oyer and terminer, and courts of sessions, held in and for the county of Albany," passed April 30, 1864," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on the judiciary.

"An act to organize the Interior Lake and River Improvement and Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed April 19, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to amend chapter 430 of the Laws of 1866, entitled 'An act to facilitate the construction of the Buffalo and Oil Creek Crosscut railroad, and to authorize towns to subscribe to the capital stock thereof,' passed April 7, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to incorporate the East Side Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to compel the Grand Street and Newtown Railroad Company to convey passengers to and from the terminus of its road, without change of cars, and without unnecessary delays along said route," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to amend an act entitled An act to amend an act entitled An act to authorize the county judges of the several counties of this State to appoint a crier of the courts of record to be held in and for said counties, being chapter 588 of the Laws of 1866,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend, lay out, open and grade Atlantic avenue, from East New York avenue, in the town of New Lots, to the county line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act making appropriations for certain public and charitable institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

On motion of Mr. Nichols, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend chapter 365 of Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,'" was recommitted to the committee on the judiciary, with power to report complete.

The bill entitled "An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Banks  
Beach  
Campbell  
Cauldwell  
Creamer

Edwards  
Folger  
Genet  
Graham

Hale  
Hubbard  
Mattoon  
Morgan

Morris  
Nicks  
Palmer  
Parker

Stanford  
Thayer  
Van Petten  
Williams

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Stanford, and by unanimous consent, the rules were suspended, and the Assembly entitled "An act to amend an act entitled 'An act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant,' passed April 12, 1862," was recommitted to the committee on roads and bridges, with power to report complete.

On motion of Mr. Hale, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in township No. 14, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton,'" was recommitted to the committee on roads and bridges, with power to report complete.

The Senate resolved itself into a committee of the whole upon the special order, being the general orders.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate in recess until 4 o'clock P. M.

#### FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order, pending at the time of recess, being the Assembly bill entitled as follows:

"An act to provide for the completion of the Albany and Susquehanna railroad."

"An act to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Williams moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Nicks	Stanford	
Beach	Edwards	Murphy	Palmer	Van Petten	
Bradley	Folger	Nichols	Pierce	Williams	15

#### FOR THE NEGATIVE.

Campbell	Genet	Kennedy	O'Donnell	Tweed	
Chapman	Hale	Mattoon	Thayer		9

Mr. Beach moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Nichols
Beach	Genet	Murphy	

## FOR THE NEGATIVE.

Bradley	Edwards	Mattoon	Palmer	Tweed
Campbell	Folger	Nicks	Pierce	Van Petten
Chapman	Hale	O'Donnell	Thayer	Williams
Creamer	Kennedy			17

Mr. Creamer moved to lay the present order of business, being general orders, upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Nicks	Pierce
Bradley	Folger	Mattoon	O'Donnell	Thayer
Campbell	Graham	Murphy	Palmer	Tweed
Chapman	Hale	Nichols	Parker	Williams
Creamer				21

## FOR THE NEGATIVE.

Banks	Crowley	Genet	Stanford	Van Petten	5
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Mr. Genet moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Murphy	Nicks	Stanford
Genet	Kennedy	Nichols		8

## FOR THE NEGATIVE.

Bradley	Edwards	Morgan	Parker	Tweed
Campbell	Folger	O'Donnell	Pierce	Van Petten
Chapman	Hale	Parker	Thayer	Williams
Creamer	Mattoon			17

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York."

After some time spent therein, the President resumed the chair, and Mr. Nicks, from said committee, reported in favor of the passage of said bill, without amendment.

Mr. Folger renewed the amendment made in committee of the whole, by adding the following sections:

"§ 4. Immediately after the passage of this act the comptroller of the city of New York shall appoint four commissioners to be known as commissioners of the Croton Aqueduct Department of said city, who shall constitute the Croton Aqueduct Board of said city in the place of the present officers thereof, and upon such appointments being made the terms of office of the president, engineer and assistant commissioner, at present forming said board, shall terminate and cease. The said commissioners, hereinbefore directed to be appointed, shall hold their offices respectively for the period of five years, and shall possess all the powers of the present members of said Croton Aqueduct Board. The commissioners of the Croton Aqueduct Department, after such first appointment, shall be appointed by the comptroller of the city of New York, and shall hold their offices for the term of five years. All vacancies among said commissioners shall be filled by the comptroller, and persons appointed to fill vacancies shall hold for the unexpired term of the persons in whose places respectively they are appointed. The said commissioners shall

be subject to removal only in the manner provided by law for the removal of sheriffs. Each of the said commissioners shall receive the same annual salary as is now paid to the president of said board. The said commissioners shall elect one of their number as president, and shall appoint a competent engineer-in-chief, who shall receive such compensation as the said commissioners shall fix, and who shall hold his office during the pleasure of the said commissioners. He shall have charge of the Croton Aqueduct and all structures and property connected with the supply and distribution of Croton water in the city of New York, and the underground drainage of the same, subject to the control and direction of the said commissioners.

"§ 5. At the end of ten days after the appointment of the said commissioners first to be appointed, as in the preceding section directed, the several offices, clerkships and positions filled by the appointment of the president, or any former Croton Aqueduct Board, or the present or any former officers thereof, shall become vacant.

"§ 6. This act shall take effect immediately.

Mr. O'Donnell raised the point of order that said amendment having been decided in committee of the whole, not germane to the subject, it is not in order to make said amendment at this time.

The President put the question "Shall the point of order be sustained?" and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Graham	Nichols	O'Donnell	Parker	
Creamer	Kennedy	Norton	Palmer	Thayer	
Genet	Morris				12

FOR THE NEGATIVE.

Banks	Crowley	Hale	Morgan	Stanford	
Bradley	Edwards	Hubbard	Nicks	Tweed	
Chapman	Folger	Mattoon	Pierce	Van Petten	16

The President then put the question whether the Senate would agree to said motion of Mr. Folger to amend, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Pierce	Tweed	
Bradley	Hubbard	Nicks	Stanford	Van Petten	
Crowley					11

FOR THE NEGATIVE.

Campbell	Genet	Kennedy	Nichols	Palmer	
Chapman	Graham	Morgan	Norton	Parker	
Creamer	Hale	Morris	O'Donnell	Thayer	
Edwards					16

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Genet	Morgan	Norton	Parker	
Chapman	Graham	Morris	O'Donnell	Thayer	
Creamer	Hale	Nichols	Palmer	Williams	
Edwards	Kennedy	Nicks			18

FOR THE NEGATIVE.

Banks	Crowley	Mattoon	Stanford	Van Petten	
Bradley	Folger	Pierce	Tweed		9

*Ordered*, That said bill be read a third time.

Mr. O'Donnell moved that said bill do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Graham	Morgan	Norton	Parker
Chapman	Hale	Murphy	O'Donnell	Thayer
Creamer	Hubbard	Nichols	Palmer	Williams
Genet	Kennedy			

17

## FOR THE NEGATIVE.

Banks	Edwards	Morris	Pierce	Tweed
Bradley	Folger	Nicks	Stanford	Van Patten
Crowley	Mattoon			

12

Mr. Kennedy moved to reconsider the vote by which the bill entitled "An act to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company," was ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Hubbard	Mattoon	Thayer	Tweed
Creamer	Kennedy	O'Donnell		

8

## FOR THE NEGATIVE.

Banks	Folger	Morris	Norton	Stanford
Bradley	Graham	Murphy	Palmer	Van Patten
Campbell	Hale	Nichols	Parker	Williams
Crowley	Morgan	Nicks	Pierce	

19

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Stanford	Thayer	Williams
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8

## FOR THE NEGATIVE.

Banks	Crowley	Kennedy	Nichols	Parker
Bradley	Folger	Mattoon	Nicks	Pierce
Chapman	Hale	Morgan	Norton	Tweed
Creamer	Hubbard	Morris	O'Donnell	Van Patten

20

Mr. Crowley moved that the further consideration of the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the Croton Aqueduct Department in the city of New York,' passed April 8, 1867," be postponed indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Murphy	Parker	Thayer
Campbell	Kennedy	O'Donnell	Stanford	Williams
Crowley	Morgan			

12

## FOR THE NEGATIVE.

Bradley	Edwards	Mattoon	Nicks	Pierce
Chapman	Hale	Morris	Norton	Tweed
Creamer	Hubbard	Nichols	Palmer	Van Patten

15

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Genet	Graham	Murphy	Parker	Thayer	5
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## FOR THE NEGATIVE.

Bradley	Crowley	Hubbard	Nicks	Tweed	
Campbell	Edwards	Mattoon	Norton	Van Petten	
Chapman	Folger	Morgan	O'Donnell	Williams	
Creamer	Hale	Nichols	Pierce		19

Mr. O'Donnell moved to postpone the further consideration of said bill until Saturday next, at 4 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act to amend an act entitled 'An act in relation to the Croton Aqueduct Department in the city of New York,' passed April 8, 1867."

After some time spent therein, the President resumed the chair, and Mr. Mattoon, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Edwards	Murphy	Nicks	Williams	5
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## FOR THE NEGATIVE.

Bradley	Hale	Morgan	Parker	Thayer	
Campbell	Hubbard	Nichols	Pierce	Tweed	
Creamer	Kennedy	Norton	Stanford	Van Petten	
Folger	Mattoon				17

Mr. Genet moved to recommit said bill to the committee on municipal affairs, with instructions to strike out the enacting clause.

Mr. Bradley moved to recommit, with instructions to amend said bill by substituting therefor the first section of the bill as passed by the Assembly.

Mr. O'Donnell moved to lay the subject upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	O'Donnell	Thayer	
Genet	Kennedy	Nicks	Parker		9

## FOR THE NEGATIVE.

Banks	Edwards	Morris	Norton	Tweed	
Bradley	Folger	Murphy	Pierce	Van Petten	
Creamer	Hubbard	Nichols	Stanford	Williams	
Crowley	Mattoon				17

The President then put the question whether the Senate would agree to said motion of Mr. Bradley, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Hubbard	Morris	Nichols	Pierce	
Edwards	Mattoon	Murphy	Norton	Tweed	
Genet					11

## FOR THE NEGATIVE.

Campbell	Kennedy	Nicks	Parker	Thayer	
Creamer	Morgan	O'Donnell	Stanford		9



Mr. Genet moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road in township No. 14, in the town of Johnsburgh to the Carthage road, near the head of Long Lake, in the county of Hamilton,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to authorize the town of Shawangunk, Ulster county, to borrow money to rebuild bridges," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant,' passed April 12, 1862," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to provide for the transmission of letters, packages, and merchandise in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers," reported in favor of the passage of the same, with amendments.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the committee on commerce and navigation, to which recommitted the Assembly bill entitled "An act to incorporate the Milton Ferry Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to authorize the Port Richmond and Bergen Point Ferry Company to hold real estate, to increase its capital stock, and to fix rates of ferriage and to increase its number of directors, and for other purposes," reported in favor of the passage of the same, with amendments.

On motion of Mr. Pierce and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Morris, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Mayville Driving Park Association," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Mattoon, from the committee on public printing, to which was referred the resolution to print extra copies of report of Prof. Dalton to the Agricultural Society of the State, reported in favor of the adoption of the following resolution:

*Resolved*, That 1,000 copies of Prof. Dalton's report to the Agricultural Society of the State of New York, be printed for the use of the Society.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Campbell, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize a change of route of a certain railroad in Bergen street, Brooklyn, and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Campbell, from the committee on railroads, to which was re-committed the Assembly bill entitled "An act to facilitate the construction of a railroad from the Chittenango depot to the village of Cazenovia, and to authorize the town of Sullivan to subscribe to the capital stock thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from the committee on claims, to which was re-committed the Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by the water of Champlain canal, in the town of Fort Edward, Washington county," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was re-committed the Assembly bill entitled "An act to amend title 10 of chapter 8 of part 3 of the Revised Statutes, relative to bawdy houses," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was re-committed the Assembly bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was re-committed the Assembly bill entitled "An act to extend the time for the collection of taxes in Richmond county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was re-committed the Assembly bill entitled "An act to legalize the acts of Francis Hamilton as notary public," with power to report complete, reported the

same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Hale, from a majority of the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act for the relief of the towns of Fort Edward and Hebron, in Washington county, and of Stephen Van Dressar of the town of Rome, Oneida county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to provide for the transmission of letters, packages and merchandise in the cities of New York and Brooklyn, and across the North and East rivers by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Stanford, from the committee on canals, to which was recommitted the bill entitled "An act to protect the State in its revenue and tolls," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed and to a third reading.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge, with abutments and suitable approaches, over the Erie canal, at Georgia street, in the city of Buffalo," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Stanford, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of an iron bridge, with abutments and suitable approaches, over the Ohio canal, at Fulton street, in the city of Buffalo," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Morris, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the Mayville Driving Park Association," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Pierce, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to authorize the Port Richmond and Bergen Point Ferry Co. to hold real estate, to increase its capital stock, and to fix rates of ferriage, and to increase its number of directors, and for other purposes," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on public health and medical colleges and societies, to which was recommitted the Assembly bill entitled "An act to amend an act for the preservation of the public health, passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Mattoon moved to take from the table the Assembly bill entitled "An act to amend an act entitled 'An act to provide for an additional Metropolitan fire commissioner, and to regulate and establish the pay of the members of the Metropolitan Fire department.'"

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to authorize the board of trustees of the village of West Troy to purchase a lot and build a house for the use of John Duffy Steam Fire Company and Tinney Hose Company," with power to report complete, reported the same complete, with amendments; which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to fix the compensation of the treasurer of Chautauqua county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the regulation of public cemeteries in Saratoga county," reported in favor of the passage of the same.

On motion of Mr. Stanford and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the board of supervisors of the county of Queens to build a court house and jail buildings for said county," reported adversely thereto; which report was agreed to, and said bill rejected.

Mr. Tweed stated his dissent therefrom, which was ordered entered upon the journal.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Edwards moved to reconsider the vote agreeing to the adverse report of committee on municipal affairs on the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Edgewater,' passed March 22, 1866, and the act amendatory thereof, passed April 22, 1867."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Edwards moved to recommit said bill to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Pierce, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act authorizing the repairing and improving of Fulton avenue, from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place, from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof," was recommitted to the committee on municipal affairs, with power to report complete.

On motion of Mr. Morgan, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act for the relief of James Gallagher," was recommitted to the committee on claims, with power to report complete.

Mr. Stanford, from the committee on insurance, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed

April 19, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hale, from the committee on claims, to which was recommitted the bill entitled "An act for the relief of James Gallagher," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell moved that the Assembly bill entitled "An act relative to taxes and assessments in the city of New York, and the office of commissioner of taxes and assessments for the city and county of New York," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hubbard	Murphy	O'Donnell	Stanford
Creamer	Kennedy	Nichols	Palmer	Thayer
Edwards	Mattoon	Nicks	Parker	Tweed
Genet	Morgan	Norton	Pierce	Van Petten
Hale	Morris			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Thayer offered the following resolution:

*Resolved*, That the bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," be made a special order for May 5th, immediately after reading the Journal.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly sent for concurrence the bills entitled as follows:

"An act to facilitate the construction of a railroad through the county of Allegany, and to amend chapter 344 of the Laws of 1864, being an act entitled 'An act empowering certain towns in the counties of Cattaraugus and Erie, to convey the right of way for railroad purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend chapter 932 of the Laws of 1867, relating to the Cherry Valley and Mohawk River Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act relative to savings banks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the village of Cohoes to raise money by tax to build and repair bridges in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the Brooklyn Park commissioners to establish a pound in Prospect park," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murphy, and by unanimous consent, the rules were suspended, and said bill referred to the Senators from Kings county, with power to report complete.

"An act, for the protection of the planting of oysters in the towns of Gravesend and Flatlands, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to fix the compensation of the treasurer of Chautauqua county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, for Senators from Kings county, to which was referred the Assembly bill entitled "An act to authorize the Brooklyn Park commissioners to establish a pound in Prospect park," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy offered the following resolution:

*Resolved*, That the Assembly bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the Wilderness through which it is projected," be considered in the committee of the whole, immediately after third reading of bills.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act conferring additional corporate powers upon the village of Ellenville."

"An act to authorize certain towns in the counties of Oswego, Cayuga and Wayne, to issue bonds and take stock in and for the construction of the Lake Ontario Shore railroad."

"An act to legalize the acts and proceedings of Abraham Davids, as justice of the peace of the town of Parish, county of Oswego."

"An act to release the interest of the State to a certain lot in the village of Clyde, to Ellen Gaffney and others."

"An act confirming the acts of William R. Crandall, a constable of the town of Marshall, Oneida county."

"An to incorporate the New York Health and Accident Insurance Company."

"An act to amend section 3 of an act entitled 'An act to consolidate common school districts, Nos. 3, 4 and 5, in the village of Huntington, Suffolk county,' passed April 13, 1857."

"An act to vest certain real estate belonging to the State, in the town of Marlborough, Ulster county, and to establish a public highway."

"An act to incorporate the National Burglar Insurance Company of the city of New York."

"An act to authorize the town of Canistota to raise money for the benefit of Canistota Academy."

"An act to amend the charter of Saratoga Springs, passed March 26, 1866, and for the purpose of securing a supply of pure and wholesome water for the use of said village."

"An act to amend the charter of the city of New York."

"An act to revive an act entitled 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal

and the Erie canal feeder,' passed April 3, 1857, so far as the same may apply to the claims of George Smith and the heirs of William Smith."

"An act to amend an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh, and the town of Bushwick, into one municipal government, and to incorporate the same,' passed April 17, 1854."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to repeal the charter of the Bellvale Turnpike Company."

"An act to provide for the grading of a street in the city of Newburgh."

"An act to amend an act entitled 'An act to incorporate the Poughkeepsie Female Guardian Society,' passed April 15, 1852."

"An act to authorize the town of Sheldon, county of Wyoming, to raise money to purchase the right of way through said town for the Attica and Allegany Valley Railroad Company, or any company that will construct a railroad from the village of Attica to the village of Arcade, in said county, on or near the route already located for the Attica and Allegany Valley railroad."

"An act in relation to re-opening and maintaining a ditch, situated on the east side of, and parallel to the Genesee Valley canal, in the towns of Groveland and West Sparta, in the county of Livingston."

"An act for the relief of George W. Sauer."

"An act in relation to appeals from decisions of Canal Appraisers."

"An act to authorize the town of Westchester, in the county of Westchester, to raise money to lay sidewalks in said town."

"An act requiring the clerk of the county of Onondaga to cause certain maps to be made and filed in his office."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bills entitled as follows:

"An act to widen portions of Sackett, Douglass and President streets, and otherwise to alter the commissioners' map of the city of Brooklyn."

"An act to incorporate the Fire Proof Warehousing Company."

"An act to authorize certain towns in the counties of Onondaga, Oswego and Jefferson to issue bonds in aid of the Syracuse Northern Railroad Company."

*Ordered*, That the Clerk deliver said bills to the Governor.

On motion of Mr. Beach, the Senate adjourned.

## MONDAY, MAY 4, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of Saturday was read and approved.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to protect the State in its revenue and tolls."

"An act to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company."

Pursuant to the 9th joint rule, the Senate proceeded to the order of business of third reading of bills.

The Assembly bill entitled "An act to incorporate the Mayville Driving Park Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morgan	Stanford
Beach	Edwards	Humphrey	Morris	Van Petten
Campbell	Folger	Kennedy	Nichols	Williams
Chapman	Hale	Mattoon	Palmer	

19

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Port Richmond and Bergen Point Ferry Company to hold real estate, to increase its capital stock, and to fix rates of ferriage, and to increase its number of directors, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Kennedy	Murphy	Stanford
Campbell	Folger	Mattoon	Nichols	Van Petten
Chapman	Hale	Morgan	Palmer	Williams
Crowley	Hubbard	Morris	Pierce	

19

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the town of Shawangunk, Ulster county, to borrow money to rebuild bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nichols	Pierce
Campbell	Hale	Mattoon	Nicks	Stanford
Chapman	Hubbard	Morgan	O'Donnell	Van Petten
Crowley	Humphrey	Morris	Palmer	Williams
Edwards				

21

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for keeping in repair the highway leading from Sacandaga river to Mount Pleasant,' passed April 12, 1862," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Nicks	Pierce
Chapman	Hubbard	Morris	O'Donnell	Stanford



Crowley	Humphrey	Murphy	Palmer	Van Petten	
Edwards	Kennedy	Nichols	Parker	Williams	23
Folger	Mattoon				

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the extension of Bushwick avenue from the city line of Brooklyn into the town of New Lots, in Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Pierce	
Beach	Folger	Morgan	Nicks	Stanford	
Campbell	Hubbard	Morris	O'Donnell	Thayer	
Chapman	Kennedy	Murphy	Parker	Van Petten	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Milton Ferry Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morgan	Nicks	Pierce	
Bradley	Hale	Morris	O'Donnell	Stanford	
Campbell	Hubbard	Nichols	Parker	Van Petten	
Edwards	Mattoon				17

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to facilitate the construction of a railroad from the Chittenango depot to the village of Cazenovia, and to authorize the town of Sullivan to subscribe to the capital stock thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Morris	Parker	Thayer	
Bradley	Hale	Murphy	Pierce	Van Petten	
Campbell	Hubbard	Nichols	Stanford	Williams	
Chapman	Mattoon	O'Donnell			18

## FOR THE NEGATIVE.

Morgan	Nicks	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by

the water of the Champlain canal, in the town of Fort Edward, Washington county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nichols	Stanford	
Bradley	Folger	Morgan	Nicks	Thayer	
Campbell	Hale	Morris	O'Donnell	Van Petten	
Chapman	Hubbard	Murphy	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Stanford and by unanimous consent, the Assembly bill entitled "An act to authorize the construction of certain ditches in the town of Minden, Montgomery county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hubbard	Murphy	Stanford	
Beach	Edwards	Mattoon	Nichols	Thayer	
Bradley	Folger	Morgan	Nicks	Van Petten	
Campbell	Hale	Morris	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Stanford and by unanimous consent, the Assembly bill entitled "An act for the relief of Adam K. Diefendorf, of the town of Minden, Montgomery county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford	
Beach	Folger	Morgan	O'Donnell	Thayer	
Bradley	Genet	Morris	Parker	Van Petten	
Campbell	Hale	Nichols	Pierce	Williams	
Chapman	Hubbard				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend title 10 of chapter 8 of part 3 of the Revised Statutes, relative to bawdy houses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer	
Campbell	Genet	Morgan	Parker	Van Petten	

Chapman	Hale	Morris	Pierce	Williams	
Edwards	Hubbard	Nichols	Stanford		19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 3 of chapter 817 of the Laws of 1866, entitled 'An act to lay out and construct a road from the river road, in township No. 14, in the town of Johnsburgh, to the Carthage road, near the head of Long Lake, in the county of Hamilton,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nichols	Stanford	
Campbell	Genet	Morgan	Nicks	Thayer	
Chapman	Hale	Morris	O'Donnell	Van Petten	
Edwards	Hubbard	Murphy	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled "An act to authorize the discharge of mortgages of record, in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Bradley	Edwards	Mattoon	Nicks	Thayer	
Campbell	Folger	Morgan	Parker	Van Petten	
Chapman	Genet	Morris	Pierce	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend the time for the collection of taxes in Richmond county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Morris	Stanford	
Bradley	Edwards	Kennedy	Nichols	Thayer	
Campbell	Folger	Mattoon	Parker	Van Petten	
Chapman	Genet	Morgan	Pierce	Williams	
Creamer					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the acts of Francis Hamilton, as notary public," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Morris	Stanford	
Beach	Edwards	Hubbard	Nichols	Thayer	
Bradley	Folger	Mattoon	Parker	Van Petten	
Campbell	Genet	Morgan	Pierce	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of the towns of Fort Edward and Hebron, in Washington county, and of Stephen Van Dresar, of Rome, Oneida county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Pierce	
Beach	Genet	Kennedy	Palmer	Thayer	
Bradley	Hale	Mattoon	Parker	Williams	
Campbell	Hubbard	Morgan			18

## FOR THE NEGATIVE.

Chapman	Folger				2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide for the transmission of letters, packages and merchandise, in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Stanford	
Beach	Crowley	Humphrey	Nicks	Thayer	
Bradley	Edwards	Kennedy	Palmer	Williams	
Campbell	Genet	Mattoon			18

## FOR THE NEGATIVE.

Chapman	Folger	Hale	Parker		4
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act for the preservation of the public health, passed April 10, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Nicks	Stanford	
Edwards	Hubbard	Morgan	Parker	Van Pettn	
Genet	Humphrey	Nichols	Pierce	Williams	16

## FOR THE NEGATIVE.

Folger	Thayer				2
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Mr. Stanford moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the board of trustees of the village of West Troy to purchase a lot and build a house for the use of John Duffy Steam Fire Company and Tinney Hose Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Stanford	
Beach	Genet	Morgan	O'Donnell	Thayer	
Campbell	Hale	Murphy	Parker	Van Petten	
Chapman	Hubbard	Nichols	Pierce	Williams	
Edwards					21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the relief of James Gallagher," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Thayer	
Beach	Hale	Morgan	Palmer	Tweed	
Campbell	Hubbard	Murphy	Parker	Van Petten	
Chapman	Humphrey	Nichols	Stanford	Williams	
Edwards	Kennedy				22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to fix the compensation of the county treasurer of Chautauqua county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Pierce	
Beach	Hale	Mattoon	Nicks	Stanford	
Campbell	Hubbard	Morgan	O'Donnell	Thayer	
Edwards	Humphrey	Murphy	Parker	Tweed	
Folger					

*Ordered*, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Brooklyn Park commissioners to establish a pound in Prospect Park," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Thayer
Bradley	Folger	Morgan	Parker	Tweed
Campbell	Hale	Murphy	Pierce	Van Petten
Chapman	Hubbard	Nichols	Stanford	Williams
Creamer				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to protect the State in its revenue and tolls," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	O'Donnell	Stanford
Beach	Genet	Morgan	Palmer	Thayer
Bradley	Hale	Nichols	Parker	Van Petten
Campbell	Hubbard	Nicks	Pierce	Williams
Chapman	Kennedy			

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the St. Francis Monastery of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Pierce
Bradley	Genet	Mattoon	Norton	Tweed
Cauldwell				

11

## FOR THE NEGATIVE.

Campbell	Nicks	O'Donnell	Van Petten	Williams
Morgan				

6

Mr. Pierce moved to reconsider the vote just taken, and that that motion be laid upon the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The Assembly bill entitled "An act to provide for the completion of the Albany and Susquehanna railroad," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Pierce	Tweed
Beach	Hale	Murphy	Stanford	Van Petten
Bradley	Hubbard	Nicks	Thayer	Williams
Chapman	Kennedy	Norton		

18

## FOR THE NEGATIVE.

Campbell	Folger	Morgan	Nichols	Palmer
Crowley	Genet	Morris	O'Donnell	Parker
Edwards				

11

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company," having been announced for a third reading,

Mr. Morgan moved to recommit the same to the committee on canals, with instructions to amend as follows, and report forthwith:

"§ 11. The use, at any time hereafter, of any portion of the water drawn from the Erie canal into the Sodus canal, for hydraulic purposes, shall, of itself, repeal and render void this act."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Morris	O'Donnell	Stanford
Campbell	Hale	Murphy	Palmer	Van Petten
Crowley	Humphrey	Nichols	Parker	Williams
Edwards	Morgan	Nicks		

18

## FOR THE NEGATIVE.

Bradley	Creamer	Kennedy	Norton	Thayer
Chapman	Hubbard	Mattoon	Pierce	Tweed

10

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from His Excellency the Governor, through his private Secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, May 4, 1868. }

*To the Senate*: I respectfully return without my approval, Senate bill No. 367, entitled "An act to provide for the widening of West street in the city of New York, on the westerly side thereof, from Battery place to Hammond street."

Under existing laws, full authority is conferred on the common council of the city of New York to direct, by ordinance, for improvements of the class named in this bill, with all the safeguards in respect to public and private rights, and all the restrictions deemed essential to the faithful execution of powers so largely affecting interests of very great importance. It will be seen, however, that the bill authorizes the street commissioner to fill in, widen and regulate—and erect the necessary protecting bulkheads—West street as stated in the title, from Battery Place to Hammond street, a distance as nearly as I can ascertain, of

about three miles, and involving an expenditure of a vast sum of money, depending entirely on the discretion of the street commissioner. There is no provision in the bill requiring that the work shall be given out by contract to the lowest bidder, and subject to the restrictions and limitations usual in such cases, but the street commissioner has full power to do the work, or cause it to be done "in such manner as he shall find to be necessary or deem proper."

Inasmuch as the common council are invested with ample powers in the opening, extending, altering or otherwise improving any street, it is difficult to conceive of any good reason founded in public convenience or necessity, for this special, and, as it seems to me, somewhat extraordinary enactment. The bill certainly departs widely from the practice heretofore regarded as essential for the protection of public and private interests, and I cannot but regard a precedent of this character a dangerous innovation, unless based upon some consideration not disclosed in the bill, and not apparent to me by any information I can obtain.

In the amended charter of the city, section 38, chapter 446, Laws of 1857, it is provided that whenever any work is to be done which shall involve the expenditure of more than \$250, the same shall be by contract, under such regulations concerning it as shall be established by ordinance of the common council, and all such contracts shall be given to the lowest bidder. The act of 1813, entitled "An act to reduce the several laws of the city of New York into one act," provides that "whenever and so often as it shall, in the opinion of the said mayor, aldermen and commonalty, in common council convened, be necessary or desirable for the public convenience or health, to lay out, form and open any street or streets, or public place or places, in any part of the said city not laid out into streets, avenues or squares, and public places by the commissioner of streets and roads in the city of New York, or to extend, alter or otherwise improve any street or streets, or part of a street already laid out, or hereafter to be laid out, \* \* \*, it shall be lawful for the said mayor, aldermen and commonalty to order and direct the same to be done, and to cause the same to be done accordingly." With such well considered provisions upon this whole subject, it seems to me clear that this improvement should be under the control of the common council, which may be presumed to be better acquainted with the character and requirements of the undertaking, and where the owners of property and business interests directly affected can have the fullest opportunity for a fair hearing and consultation.

It will be further observed, that by this bill no assessment for damages is directed or required, and the whole expense is to be levied upon property deemed to be benefited by the improvement. The appointment of three (3) commissioners by the Supreme Court upon application of the street commissioner, to make such assessment, seems to be superfluous, for the reason that it is made the duty of the board of assessors appointed under section 15, chapter 302, Laws of 1859, to make all such estimates and assessments. The board of assessors are salaried officers, and receive no fees or compensation whatever in addition to such salary for their services. On the other hand, it will be seen, that there is no limit to the fees and charges of the commissioners to be appointed by this bill, and it would appear unjust to the owners of property, in the absence of any public exigency, to compel them to bear unlimited burdens in the discretion of a single officer, in addition to those which are now necessarily imposed. It may be also remarked, that under the constitution and laws, in all cases of street improvements, when an assessment for damages as well as benefit is to be made, it is required by commission-



ers, to be appointed by the Supreme Court, but in all other cases, when the assessment is for benefit alone, the same is required to be made by the board of assessors.

It may, therefore, be said that the bill is not only an abrupt departure from established policy, in respect of the matter to which it refers, but that its various provisions confer very extensive and unusual power upon the street commissioner. The restrictions in the bill are very inadequate; and so far as the cost of the work is concerned, which may be very great, even with the exercise of the best judgment and the most rigid economy, there is no limitation whatever to the discretion of the street commissioner. I cannot perceive why, under the provisions of this bill, the street commissioner may not, in his absolute and uncontrolled discretion, expend millions of dollars without any notice to, or consultation with those who are ultimately to pay the cost. After the expense has been incurred, special commissioners are to assess the amount upon the property supposed to be benefited, but I find no provision authorizing those who are to pay the amount, from questioning the action, discretion or authority of the street commissioner in the premises. I do not think any such bill should become a law, as it may tend, practically, to confiscate private property without due legal process.

While I am reluctant to interpose objections to bills passed by the Legislature having merely a local bearing, the innovation in the mode of conducting improvements in the city of New York, the latitude of the powers conferred, and the magnitude of the interests involved, lead me to return this bill for further consideration.

R. E. FENTON.

Mr. Norton moved to lay the message upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the resolution requesting the Governor to return to the Assembly the bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court," with a message informing that they had concurred in the passage of the same, without amendment.

A message from His Excellency the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }  
ALBANY, May 4, 1868. }

*To the Senate:*

In compliance with the request embodied in a concurrent resolution of the Senate and Assembly, I respectfully return for correction the bill entitled "An act to amend chapter 280, section 73 of 1847, relating to a reporter for the Supreme Court."

R. E. FENTON.

The President put the question whether the Senate would agree to reconsider the vote on the final passage of said bill, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	• Hubbard	Nichols	Thayer
Beach	Edwards	Mattoon	Nicks	Tweed
Bradley	Folger	Morgan	Norton	Williams
Campbell	Hale	Morris	Stanford	

19

FOR THE NEGATIVE.

O'Donnell

Mr. Banks moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to incorporate the West Side Savings Bank, to be located in the city of New York," with a message informing that they had passed the same, with the following amendments (reference to engrossed bill):

Section 1, line 1, after the name of "Conkling," insert the name of "Ignatius Flynn," and strike out the name of "Sinclair Tousey." Line 2, after the name of "Abram Lent," insert the names of "Robert W. S. Bouswell, Edward Lynch, James Deignan, Thomas Kivlin." Line 3, strike out the name of "James Galway." Line 4, after the name of "Ackerman," insert the names of "William McKay, James S. Scofield, Alexander Gaw, Samuel Mott." Line 8, after the name of "Winterbottom," insert the name of "Richard Fields."

Section 3, line 11, after the word "corporation," insert the words "and a majority vote of all the trustees shall be requisite."

Mr. Norton moved to concur in said amendments.

The President put the question whether the Senate would agree to said motion to concur, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Nicks	Stanford
Bradley	Folger	Morgan	Norton	Tweed
Campbell	Hale	Morris	Parker	Williams
Chapman	Hubbard			

17

FOR THE NEGATIVE.

Palmer

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to authorize Lewis Runyan to establish and maintain a ferry across Seneca lake, at Lodi Landing," with a message informing that they had passed the same, with the following amendments:

Section 6, line 6, strike out the words "five miles," and insert the words "two miles," and add to said section as follows: "the provisions of this section shall not apply to steamboats making regular trips up and down Seneca lake."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Hubbard	Nicks	Parker	Tweed
Campbell	Humphrey	Norton	Pierce	Van Petten
Chapman	Mattoon	O'Donnell	Stanford	Williams
Edwards	Morris	Palmer		

18

FOR THE NEGATIVE.

Folger

1

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Genet called for the consideration of a resolution from the Assembly, in the words following:

*Resolved* (if the Senate concur), That this House adjourn *sine die* on Saturday, May 2, at 12 m.

Mr. Genet moved to amend by striking out the word "House," and inserting "Legislature." Also, striking out "Saturday, May 2, at 12 m." and inserting "Tuesday, May 5, at 2 o'clock p. m."

Mr. O'Donnell moved to lay the question on the table.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act for the laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester," with a message informing that they had passed the same, with the following amendments (reference to engrossed bill):

Page 2, after the word "shall," in line 24, insert as follows: "be construed to affect any of the provisions of chapter 290 of the Laws of 1867, entitled 'An act to authorize the towns of Morrisania and West Farms to widen, make, extend and improve a highway in said towns, to be called the Southern boulevard,' nor to."

Also, same page, line 26, after the word "turnpike," insert the word "and."

Also on same page, in lines 26 and 27, strike out the words "and the Southern boulevard."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Stanford
Beach	Edwards	Morris	O'Donnell	Thayer
Bradley	Folger	Murphy	Palmer	Tweed
Campbell	Genet	Nichols	Parker	Van Petten
Chapman	Hale	Nicks	Pierce	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act supplementary to chapter 489 of the Laws of 1867, and to provide for the collection and application of revenues in the county of New York in certain cases," with a message informing that they had passed the same, with the following amendments:

Section 3, line 5, engrossed bill, strike out the word "one," and insert in lieu thereof the word "three."

Section 4, line 18, after the word "thereof," insert the words "and where any such individual, owner or owners shall feel aggrieved or dissatisfied with the sum tendered, as compensation by said company, he or they may on petition to the Supreme Court of the judicial district, procure an order from the justice of said court, having jurisdiction to compel the constructing company to pay into court, or furnish satisfactory personal security for such sum as the court may deem reasonable, in view of the prospective damages claimed, which sum or security shall await the legal award to such owner as provided by law for proceedings in such cases."

Insert as sections 6, 7 and 8 the following:

§ 6. Whenever the Governor shall have filed his approval in the Secretary of State's office, of the experimental section of the railway heretofore referred to, it shall be lawful for the East Side and New Rochelle Patent railway, a corporation duly existing under and by virtue of the

laws of this State, to commence and construct an extension of the same to and along the easterly side of the said city, on the route or lines hereinafter mentioned. Before proceeding with the construction of the same, the said last named company shall tender its bond to the Comptroller of the State and the comptroller of the city and county of New York, in amounts similar to those hereinbefore mentioned, as security for the payment of any damages to private property as mentioned, and also for payment of the five per cent revenue to the city or county treasurer, and thereupon it shall be entitled to the same powers, privileges and rates of fare under similar corporate agreements as provided for the company first named in this act, and the act to which this is supplementary, and said last named company may also amend its title or corporate name, in like manner, and to the same effect as provided for in section of this act; provided that it shall commence and complete its line of railway within five years (legal delays excepted) from date of executive approval hereinbefore referred to, or be liable to a forfeiture of the amount of its bond filed with the city comptroller aforesaid, and its right to occupy the portion of the route within said city then unconstructed, at the pleasure of the Legislature.

§ 7. The said last named company, or its successors, may commence and construct its elevated railway under the general powers, regulations and restrictions conferred or imposed by this act, or the act to which this is supplementary, on the route beginning at Battery place, in the city of New York, at the southerly end of the experimental section already erected, and continuing thence by tracks on both sides of State street in like manner to and along Pearl street, to and along New Bowery and Bowery streets to or across Houston street, and thence to or along both sides of such one of the avenues east of Lexington avenue as the constructing company may by its engineer designate for continuing said railway to and across the Harlem river to or beyond the village of New Rochelle, in the county of Westchester, and lateral branches may be constructed from said railway to such ferries, depots and places as the Governor shall, upon recommendation of residents or frequenting citizens, approve as affording desirable transit facilities upon the easterly side of said city.

§ 8. The powers and duties of the commissioners named in the act to which this is supplementary, are hereby extended to both easterly and westerly routes alike in matters of supervising the construction thereof and street improvements. Their warrants on the city comptroller shall specify in all cases which route is referred to, and their salary warrants shall not include services on but one route on the same day. The mayor shall be entitled to equal *per diem* compensation when performing the duties imposed by this act, to be drawn and accounted for in like manner as for the commissioners aforesaid.

Change numbers of subsequent sections to correspond.

Mr. Genet moved to recommit the bill and amendments to the committee on municipal affairs.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr Pierce moved to reconsider the vote adverse to the final passage of the Assembly bill entitled "An act to incorporate the St. Francis Monastery of the city of Brooklyn."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Norton	Pierce
Beach	Edwards	Mattoon	Palmer	Stanford
Bradley	Genet	Morris	Parker	Tweed
Cauldwell	Hale			

17

## FOR THE NEGATIVE.

Campbell	Morgan	O'Donnell	Van Petten	Williams
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5

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Mattoon	Norton	Stanford
Bradley	Genet	Morris	Palmer	Thayer
Cauldwell	Hale	Nichols	Pierce	Tweed
Creamer	Hubbard			

17

## FOR THE NEGATIVE.

Campbell	Nicks	O'Donnell	Van Petten	Williams
Morgan				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Kennedy moved to reconsider the vote upon the bill entitled "An act to revive, continue and amend the several acts to incorporate and to increase the capital stock, and to extend the powers of the Sodus Canal Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Mattoon	Palmer	Tweed
Campbell	Hubbard	Norton	Pierce	Van Petten
Chapman	Kennedy	O'Donnell	Thayer	

14

## FOR THE NEGATIVE.

Beach	Folger	Murphy	Nicks	Stanford
Crowley	Morgan	Nichols	Parker	Williams
Edwards	Morris			

12

The President having announced the special order, being the Assembly bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected."

Mr. Nicks moved to include also the Assembly bill entitled "An act to authorize the Genesee College to change its location."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Parker moved to include in same special order, the Assembly bill entitled "An act to repair the State works on De Grasse river, in St. Lawrence county."

Mr. Mattoon moved that the preferred calendar be made the special order at this time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Thayer moved to reconsider the vote agreeing to the report of the judiciary committee adverse to the Assembly bill entitled "An act relative to the justices of the justices' court in and for the city of Troy."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. O'Donnell moved to reconsider the vote by which the report of the committee of conference upon the Assembly bill entitled "An act making appropriations for the support of Government," was agreed to.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Nichols	Stanford
Beach	Folger	Mattoon	Norton	Thayer
Campbell	Genet	Morgan	O'Donnell	Tweed
Chapman	Hale	Morris	Parker	Van Petten
Creamer	Hubbard			

22

Mr. O'Donnell moved to recommit said bill to the committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to increase the capital stock and amend the articles of association of the Kingston Building Company," reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Morgan, from the committee on engrossed bills, reported as correctly re-engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness of the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack company formed under said act."

"An act to incorporate the United States Contracting Company."

The Senate then resolved itself into a committee of the whole upon the special order.

After some time spent therein, the hour of 2 o'clock having arrived, the President resumed the chair and declared the Senate in recess until 4 o'clock P. M.

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FOUR O'CLOCK, P. M.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order, pending at the time of recess, being the bills entitled as follows:

"An act to provide for transportation, under ground, in the city of New York, and to authorize the organization of a railroad corporation for that purpose."

Assembly, "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected."

"An act to provide for the erection of a new market building on the site of the present Washington market, in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Van Petten, from said committee, reported in favor of the passage of the first named bill, with amendments.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Kennedy	Parker	Thayer	
Beach	Genet	Mattoon	Pierce	Tweed	
Chapman	Graham	Morris	Stanford	Van Petten	
Creamer	Humphrey	Norton			18

## FOR THE NEGATIVE.

Campbell	Edwards	Morgan	Nichols	O'Donnell	
Crowley	Hale	Murphy	Nicks		9

Mr. Van Petten, from the same committee, reported progress on the two last named bills, and asked leave to sit again.

Mr. Stanford moved to discharge the committee of the whole from the further consideration of the first entitled bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Graham	Mattoon	Pierce	Tweed	
Beach	Hale	Morgan	Stanford	Van Petten	
Creamer	Humphrey	Morris	Thayer		14

## FOR THE NEGATIVE.

Campbell	Crowley	Folger	Murphy	Nicks	
Chapman	Edwards	Kennedy	Nichols	O'Donnell	10

The President then put the question whether the Senate would agree to the report of the committee of the whole, upon the second entitled bill, and it was decided in the affirmative.

Mr. Genet moved that the bill entitled "An act to provide for the transportation, under ground, in the city of New York, and to authorize the organization of a railroad corporation for that purpose," do now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Pierce	Thayer	
Beach	Graham	Mattoon	Stanford	Tweed	
Creamer	Humphrey	Murphy			18

## FOR THE NEGATIVE.

Campbell	Edwards	Morgan	Nicks	Parker	
Chapman	Folger	Morris	O'Donnell	Van Petten	
Crowley	Hale	Nichols			18

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act relative to the county of New York to provide for the support and uses of the county government by tax and to improve its property, increase its revenues and to regulate its officers and its expenditures," reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to make provision for the government of the county of New York," and as amended, recommend its passage; said bill was committed to the committee of the whole.

Mr. Crowley, from the committee on municipal affairs, to which was referred the Assembly bill entitled "An act to make provision for the

government of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to increase the capital stock, and amend the articles of association of the Kingston Building Company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Folger, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the drainage of the low lands in the north part of the town of Amherst, in the county of Erie,' passed April 12, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Crowley, the Senate resolved itself into a committee of the whole upon the Assembly bills entitled as follows:

"An act to make provision for the government of the county of New York."

"An act to make provision for the government of the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Nichols, from said committee, reported in favor of the passage of the first named bill, with amendments.

Mr. O'Donnell moved to recommit said bill to the committee on municipal affairs, with instructions to reduce the appropriation for the new court house from \$800,000 to \$500,000, and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Crowley	Hale	O'Donnell	Palmer	4
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#### FOR THE NEGATIVE.

Beach	Edwards	Hubbard	Nicks	Pierce
Bradley	Folger	Kennedy	Murphy	Tweed
Cauldwell	Genet	Mattoon	Nichols	Van Petten
Chapman	Graham	Morgan	Norton	Williams
Creamer				21

Mr. O'Donnell moved to recommit, with instructions to strike out all of said paragraph relative to the new court house which provides for issuing bonds.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

O'Donnell	Van Petten	2
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#### FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Palmer
Beach	Crowley	Hubbard	Murphy	Pierce
Bradley	Edwards	Kennedy	Nichols	Tweed
Cauldwell	Folger	Mattoon	Norton	Williams
Chapman	Graham	Morgan		23

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Pierce
Beach	Crowley	Hubbard	Murphy	Tweed



Bradley	Edwards	Kennedy	Nichols	Van Petten
Cauldwell	Folger	Mattoon	Norton	Williams
Chapman	Graham	Morgan	Palmer	24

## FOR THE NEGATIVE.

O'Donnell 1

*Ordered*, That said bill be read a third time.

Mr. Nichols, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Crowley moved to discharge the committee of the whole, and that said bill be ordered to a third reading.

Mr. O'Donnell moved to amend that it be recommitted to the committee, with instructions to strike out section 2, as follows:

§ 2. For the purpose of paying the assessments and amount charged to the mayor, aldermen and commonalty of the city of New York, for widening and extending of Church street, from Fulton to Morris street, widening Broadway and laying out a circular place at the entrance to the Central park, at Fifty-ninth street, widening of Sixth avenue, from One Hundred and Tenth street to the Harlem river, as set forth in the reports of the commissioners in each case, as confirmed by the Supreme Court, also for the amount charged for opening and laying out a public drive from Fifty-ninth to One Hundred and Fifty-fifth street (commonly called the Boulevard), the sum of one million dollars, or so much thereof as may be required, which sum the Comptroller is authorized and directed to provide by issue of bonds in the name of and on behalf of the mayor, aldermen and commonalty of the city of New York, to be designated and known as "Street opening and Improvement Bonds," to be signed by the said comptroller and the mayor, and sealed with the official seal of the corporation, attested by the clerk thereof. The bonds so authorized to be issued shall bear interest not exceeding seven per cent per annum, payable on the first day of May and November in each year, and the principal thereof to be payable within fifteen years from the passage of this act, in installments of two hundred and fifty thousand dollars. The board of supervisors of the county of New York, are hereby authorized and directed to order and cause to be raised by tax upon the estates by law subject to taxation within the city and county of New York, an amount sufficient in each year to pay the interest on the bonds herein authorized, and also an amount sufficient to pay and redeem said bonds at their maturity.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell to amend, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

O'Donnell 1

## FOR THE NEGATIVE.

Banks	Creamer	Graham	Morgan	Pierce
Banks	Crowley	Hale	Nichols	Tweed
Bradley	Edwards	Hubbard	Norton	Van Petten
Cauldwell	Folger	Kennedy	Palmer	Williams
Chapman	Genet	Mattoon	Parker	24

Mr. Genet moved to recommit, with instructions to strike out section 10 as adopted in committee of the whole, and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Folger	Genet	O'Donnell	Palmer
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## FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Nicks	Thayer
Beach	Crowley	Kennedy	Norton	Tweed
Bradley	Edwards	Mattoon	Parker	Van Petten
Cauldwell	Graham	Morgan	Pierce	Williams
Chapman	Hale	Nichols		

23

Mr. O'Donnell moved to recommit said bill to the committee on municipal affairs, with instructions to strike out so much of said section ten as applies to the mayor of the city of New York, and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Genet	Norton	Parker	
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3

## FOR THE NEGATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Crowley	Hubbard	Nicks	Thayer
Bradley	Edwards	Kennedy	O'Donnell	Tweed
Cauldwell	Folger	Mattoon	Palmer	Williams
Chapman	Graham	Morgan		

23

Mr. Genet moved to recommit said bill to the committee on municipal affairs, with instructions to strike out section 3, and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Genet	Norton	O'Donnell	Parker
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## FOR THE NEGATIVE.

Banks	Creamer	Hale	Nichols	Thayer
Beach	Crowley	Hubbard	Nicks	Tweed
Bradley	Edwards	Kennedy	Palmer	Van Petten
Cauldwell	Folger	Mattoon	Pierce	Williams
Chapman	Graham	Morgan		

23

Mr. Morgan moved to recommit said bill to the committee on municipal affairs, with instructions to strike out lines 114, 175 and 207, as follows:

For the school attached to St. Joseph's Church in Leroy street, five thousand dollars.

For the school of St. Dominick in Second street, five thousand dollars.

For school attached to St. Gabriel's Church, East Thirty seventh street, five thousand dollars.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Chapman	Nichols	Nicks	O'Donnell	Parker
Morgan				

6

## FOR THE NEGATIVE.

Banks	Crowley	Graham	Morris	Thayer
Beach	Edwards	Hubbard	Norton	Tweed
Bradley	Folger	Kennedy	Palmer	Van Petten
Cauldwell	Genet	Mattoon	Pierce	Williams
Creamer				

21

The President then put the question whether the Senate would agree to said motion of Mr. Crowley, and it was decided in the affirmative.

Mr. Crowley moved that said bill now have its third reading.

Mr. Beach moved to include also the Assembly bill entitled "An act

to increase the capital stock, and amend the articles of association of the Kingston Building Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Genet moved also to include the Senate bill entitled "An act to provide for transportation under ground in the city of New York, and to authorize the organization of a railroad corporation for that purpose."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Graham	Mattoon	Stanford	Thayer	
Genet					6

FOR THE NEGATIVE.

Bradley	Crowley	Kennedy	Nichols	Parker	
Cauldwell	Edwards	Morgan	Norton	Pierce	
Chapman	Folger	Morris	O'Donnell	Tweed	
Creamer					16

The Assembly bill entitled "An act to make provision for the government of the county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Nichols	Thayer	
Beach	Crowley	Kennedy	Nicks	Tweed	
Bradley	Edwards	Mattoon	Palmer	Van Petten	
Cauldwell	Folger	Morgan	Pierce	Williams	
Chapman	Genet	Morris	Stanford		24

FOR THE NEGATIVE.

O'Donnell					1
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to make provision for the government of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Kennedy	Norton	Thayer	
Beach	Edwards	Mattoon	Palmer	Tweed	
Cauldwell	Folger	Morris	Pierce	Van Petten	
Chapman	Graham	Murphy	Stanford	Williams	
Creamer	Hubbard	Nichols			28

FOR THE NEGATIVE.

Bradley	Morgan	Nicks	O'Donnell	Parker	
Genet					6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to increase the capital stock, and amend the articles of association of the Kingston Building Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Crowley	Kennedy	Nichols	Stanford
Bradley	Folger	Mattoon	Nicks	Thayer
Cauldwell	Genet	Morgan	Norton	Tweed
Chapman	Graham	Morris	Parker	Williams

25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. O'Donnell, from the committee of conference upon the bill entitled "An act making appropriations for support of government," reported back the said bill, with the item relative to the new capitol, so amended as to read as follows:

"For the new capitol, two hundred and fifty thousand dollars. Hamilton Harris, John V. L. Pruyn, Obadiah B. Latham, James S. Thayer, Alonzo B. Cornell, William A. Rice, James Terwilliger and John T. Hudson, are hereby appointed commissioners for the purpose of erecting the new capitol, in place of the present board. They shall proceed to take additional land, comprising Hawk street and one half of the block of land adjoining such street on the west thereof between Washington avenue and State street, in the name of the State, and lay out a street running through from Washington avenue to State street, of such width as they may deem proper, on the west end of the land so taken, which land is hereby appropriated for the purposes of such new capitol and street, and declared to be taken for public use. The commissioners are hereby authorized to take possession of the said lands and tenements, and if they cannot agree with the owner or owners for the purchase thereof they shall cause application to be made to the Supreme Court for a writ of inquiry of damages, and such proceedings shall thereupon be had as is provided in the 4th article of title 2 of chapter 9 of the 3d part of the Revised Statutes. The said commissioners shall review the plans which have been adopted for the new capitol, and may change and modify the same or adopt others in their place, as they may deem advisable and proper; provided, however, that they shall not proceed to the construction of the said new capitol unless they shall be satisfied that the expense thereof shall not exceed, when completed, the sum of four millions of dollars. The buildings known as Congress Hall building, and the present Capitol, and State Library buildings, shall not be removed or disturbed until further directions by the Legislature."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Murphy	Stanford
Beach	Edwards	Kennedy	Nichols	Thayer
Bradley	Folger	Mattoon	O'Donnell	Tweed
Cauldwell	Genet	Morgan	Palmer	Van Petten
Creamer	Graham	Morris	Parker	Williams

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the report of the committee of conference.

Mr. O'Donnell submitted the following report:

*To the Senate and Assembly :*

The committee of conference appointed by the Senate and Assembly to consider the matters of difference on the Assembly bill entitled "An act making appropriations for certain expenses of government, and for supplying deficiencies in former appropriations, commonly known as the 'Annual Supply Bill,'" report that they have discharged that duty, and submit the following report and amendments, to which they recommend the concurrence of the Senate and Assembly.

Engrossed bill, page 1, section 1, add after the words "for official services," the following: "till the amounts claimed shall have been audited and allowed by the Comptroller who is hereby authorized to determine the same."

Page 2, line 10, after the word "clerks," insert the words "in addition to the foregoing."

Same page, at the end of line 11, add the words "Henry A. Glidden, assistant clerk of the Senate."

Also, same page and paragraph, the name of William S. Parkhurst is restored as in the engrossed bill.

Also, after line 23, add the following: "For James M. Fassett and John J. Riley, for extra work performed under authority of the Clerk of the Assembly, to each of them, \$300.

Also, after line 27, add the following:

"For Edward F. Underhill, for compensation for services as stenographer of the Senate, pursuant to resolution of that body adopted on the 28th of March, 1868, five hundred dollars; for repayment of amount paid by him to M. A. Dowd, seventy-five dollars; to H. A. Stafford, twenty-five dollars, and to Thomas J. Moquahan, thirty dollars, said amounts being for assistance in transcribing debates of Senate and testimony taken before the select committee of Senate appointed to investigate the alleged use of unlawful means to influence legislation in the Senate in reference to railroads.

"For William F. Bonynge, for compensation for reporting a part of the testimony taken by the select committee of the Senate, appointed to investigate into the alleged use of unlawful means to influence legislation in reference to railroads, forty dollars; and for reporting a part of the testimony taken before the committee on finance of the Senate, in reference to the new Capitol, one hundred and fifty-three dollars."

Same page, line 33, strike out the words "and speeches."

Same page, after line 34, add the following:

"For the stenographer for reporting the testimony taken by the select committee of the Senate appointed to investigate the affairs of the Erie Railway Company, to be paid on the certificate of the chairman of the committee, three hundred and eighty-one dollars."

Same page, line 43, add after the word "dollars," the following: "and for additional compensation, sixty dollars."

Page 3, beginning at line 31, amend and restore the paragraph so as to read as follows:

"John Dunn, superintendent of ventilation of the Assembly chamber, James McGuire, superintendent of the wrapping department of the Assembly, and William Kane, Asa Ransom, James Keenan and Samuel Smith, assistant doorkeepers of the Assembly, to each of them for every day of the session, three dollars, and the same allowance for mileage which is made by law to the members and officers of the Legislature. For the doorkeepers and assistant doorkeepers, janitors, keepers and

assistant keepers, and assistant postmasters of the Senate and Assembly, and for the superintendent of the wrapping department, superintendent of ventilation and superintendent of documents of the Assembly, to each of them for additional compensation for every day of service, two dollars; and for the Sergeant-at-Arms and assistant sergeant-at-arms, the librarian and assistant librarian of the Senate and Assembly, and the postmaster of the Assembly, to each of them for additional compensation for every day of service, three dollars."

Page 4, line 5, add the following:

"For George H. Knapp, assistant sergeant-at-arms of the Senate, for attendance on committees of the Senate during investigations ordered by the Senate, and for traveling and other expenses while so engaged, eighty dollars."

Same page, the appropriation for messengers to read as follows:

"For the messengers employed by authority of the Senate and Assembly, to be paid on the certificate of the respective presiding officers, namely: Sylvanus C. Curran, clerk and bank messenger of the Senate; Josiah Downs, messenger of the President of the Senate; John W. Hannan, messenger of the Sergeant-at-Arms of the Senate; Temple Parker, messenger of the postmaster of the Senate; James D. Burdick, messenger of the librarian of the Senate; John A. McDonald, messenger of the Speaker of the Assembly; Edwin E. Coventry, messenger of the Clerk of the Assembly; William J. Wilson, bank messenger of the Clerk of the Assembly; Thomas B. Stack and William Cotterell, messengers of the librarian of the Assembly; Thomas Farrell, messenger of the engrossing room of the Assembly; William C. Stead, J. D. Carls, John H. Bennett, Henry D. Keller, Edward C. Burke and Patrick McGroarty, messengers of the Sergeant-at-Arms of the Assembly; John Platte and Daniel Leahy, messengers of the postmaster of the Assembly; John Woods, William Goldsborough, Charles Walters, James W. Coffey, James McCabe, George A. Davis and John McDermott, general messengers for the entire session of the Assembly; Edmund C. Cullen, general messenger of the Assembly till the twenty-ninth of February; William A. Hart, general messenger for the former half of the session, and Edgar Caypliss, messenger of the stenographer of the Assembly for the last half of the session, to each of them for every day of service, three dollars, and for additional compensation for each day of service, fifty cents. To John H. Hawes, messenger to the committees on canal investigation and expenditures of the Executive Department; William A. Hart, messenger of the sub-committee of the whole for the latter half of the session, and also for the other messengers or pages of the Senate and Assembly, including Frank Gannon, for the latter half of the session, and the messengers of the several committees, as duly authorized by resolution of the Senate and Assembly, for compensation, to each of them for every day of service, to be duly certified by the respective chairmen and presiding officers, two dollars."

Page 4, after line 44, insert the following:

"For Nathaniel Goodwin, for services performed during the session of 1868, in addition to all other appropriations, three hundred dollars."

Pages 4 and 5, amend appropriation for clerks of committees so as to read as follows:

"For the clerks of the committees of the Senate and Assembly, including the committees of the Assembly on banks and State charitable institutions, and on charitable and religious societies, to each of them for every day of the session, four dollars; and for the clerks of the committees of the Assembly on ways and means, the judiciary, affairs of cities,

claims, internal affairs of towns and counties, commerce and navigation, militia and the petitions of aliens jointly, railroads, canals, roads and bridges, and villages and insurance jointly; also for the clerks of the committees of the Senate on finance, the judiciary, railroads, engrossed bills, canals, claims, municipal affairs, internal affairs of towns and counties, and on commerce and navigation and banks jointly, to each of said clerks, in addition, one hundred dollars."

Page 5, line 16, strike out the word "of." Same page, after line 27, add the following:

"For James Terwilliger, Clerk of the Senate, for repayment to him of money paid for books and furniture for the library of the Senate, three hundred and twelve dollars."

"For Jared Sandford, sergeant-at-arms of the Assembly, for expenses and mileage in summoning witnesses for the committee on privileges and elections, and the investigating committee in the matter of the charges by E. M. K. Glenn, one hundred and fifty dollars."

Also the following:

"For John H. Kemper, sergeant-at-arms of the Senate, for services and expenses in attending on the several committees while investigating subjects referred to them by the Senate, five hundred and thirty-four dollars and sixty-five cents."

"For J. H. Mattoon, for services and expenses as clerk and assistant sergeant-at-arms of the committee of the Senate appointed to investigate the affairs of the Erie Railway Company, one hundred dollars."

"For H. V. B. Barker, for services as marshal of the special committee appointed to investigate the management of the canals of the State, two thousand nine hundred and eighty-nine dollars and ninety cents; and for G. N. Timberman, for compensation and expenses as clerk of the same committee, one thousand six hundred dollars."

"For the clerk of the committee appointed to investigate the charges made by E. M. K. Glenn in the Assembly, one hundred dollars; and for the stenographer of the committee, one hundred dollars; to be paid on the certificate of the chairman."

"For H. H. Clapp, for services in issuing subpoenas and taking testimony for the committee on municipal affairs of the Senate, while investigating street contracts in the city of New York, one hundred dollars; and for D. B. Mellish, for reporting the testimony taken at the same hearing, one hundred and thirty-five dollars."

"For the clerk of the Senate, for repairs authorized to be made in the Senate Chamber, under his direction, three hundred dollars."

Page 6, line 9, strike out the word "to." Same page, line 14, add the following:

"To be paid on the certificate of Luther Caldwell, clerk of the Assembly of 1867."

Same page, strike out lines 34, 35 and 36.

Page 7, line 7, strike out the word "five," and insert the word "two." Also, add at the end of the line the words, "and for Henry Smith, for services as counsel for Jacob Worth, three hundred dollars."

Same page, after line 7, insert the following:

"For W. C. H. Sherman, for expenses incurred in defending his title to office as member of Assembly from the first district of the county of Orange, as follows, namely: For Robert H. McClellan, for services as counsel, five hundred dollars; for Amasa J. Parker, for services as counsel, five hundred dollars; and for Wickham T. Shaw, for subpoenaing of witnesses and disbursements, two hundred and forty-six dollars and thirty-eight cents."

"For George K. Smith, for repayment of expenses incurred by him in contesting the title to office as member of Assembly from the first district of the county of Orange, as follows, namely: For Henry Smith, for services as counsel, five hundred dollars; for other expenses, four hundred and fifty dollars and mileage."

Same page, after line 12, add the following:

"For Henry Clausen, Jr., for repayment of expenses incurred by him in the case of the contested election for member of Assembly for the twentieth district of the county of New York, as follows, namely: For compensation of Nelson J. Waterbury, as counsel, one thousand dollars; for compensation of John J. Freedman, as counsel, two hundred and fifty dollars; for compensation of the stenographer, for reporting argument of Nelson J. Waterbury, sixty-seven dollars and fifty cents; for compensation of the Argus Printing Company, for printing the argument of Nelson J. Waterbury, one hundred and fifty dollars; and for compensation as member of Assembly for the period that his seat was held by George B. Van Brunt, three dollars per day and the allowance for mileage which is made by law for the members of the Legislature.

"For C. S. McArthur, for reporting the testimony taken by the committee on commerce and navigation of the Senate, while investigating the alleged obstructions to navigation at Rouse's Point, one hundred dollars."

Same page, line 21, add after the word "navigation," the words "of the Assembly."

Also, line 25, add after the word "cities," the words "of the Assembly."

Also, after line 27, add the following: "For the committee on municipal affairs of the Senate, for expenses while investigating the street-cleaning contract in the city of New York, four hundred and thirty-three dollars."

Also, same page, line 28, add after the word "health," the words "of the Assembly."

Also, same page, line 29, strike out the words "two hundred dollars," and insert the words "four hundred and ninety-five dollars and ninety cents."

Also, add the following:

"For Simeon Leland and Company, for the bills incurred by the committee on privileges and elections of the Assembly, at the Metropolitan Hotel, in New York, while investigating the contested seats in the counties of New York and Kings, one thousand two hundred and ninety-five dollars.

"For Anderson and Carroll, for twelve days' occupation of Brevoort Hall, in the city of New York, while investigating the case of contested election in the twentieth Assembly district, two hundred and thirty dollars; and for refreshments to the committee and services of five policemen detailed for duty of said hall, one hundred and seventy-five dollars."

Same page, line 32, amend as follows: strike out the word "Hon." wherever occurring, and insert instead of "Mr." the letters "W. C. H."

Page 8, line 4, insert after the word "the," the words "Senate and."

Same page, line 5, change the word "twenty" to the word "ninety," and add the words "ninety cents."

Same page, line 20, strike out the entire paragraph, and insert the following:

"For the expenses of the Court of Impeachment, including the mileage, and the per diem of the members of the court and the compensation



of the officers employed, at the same rate as is allowed like officers by this Legislature, fourteen thousand dollars, to be paid on the certificate of the president of the court; for the mileage and per diem of the managers, and of counsel for the managers during the trial, and of any of the managers while preparing the case and for necessary expenses, six thousand dollars, to be paid on the certificate of the chairman of the managers."

" CONSTITUTIONAL CONVENTION.

"For certain expenses of the Constitutional Convention, to be paid out of the sum of two hundred thousand dollars already appropriated to that end, the following items:

"For the National Commercial Bank of Albany, one hundred and ten thousand dollars, or so much as may be necessary to pay the said bank for moneys advanced to pay members and officers of the Constitutional Convention, under an arrangement with the Comptroller, with interest on the said advances.

"For Nathaniel Goodwin, for services as janitor of the Constitutional Convention, in addition to one dollar per day received by him, two dollars per day for the time he served as such janitor.

"For John G. Kinney, as messenger and page to the Convention, two dollars per day, for the time served by him.

"For M. Pease, for services rendered the Constitutional Convention as fireman and janitor, three dollars per day for the time served by him.

"For Alfred B. Street, Henry A. Holmes and Norman L. Curtis, for extra services in keeping open the State Library last summer for the Constitutional Convention, each two hundred dollars.

"For compensation of clerks in the Comptroller's office, for extra services during the year 1867, including the preparation of statements for the Constitutional Convention, required by the resolutions of that body, six hundred and eighty dollars, or so much thereof as the Comptroller may deem to be a reasonable compensation for such services, to be paid to said clerks respectively.

"For James Barnes, late Deputy State Engineer and Surveyor, for extra services and clerk hire and preparing Convention Document No. 115, under the direction of the Commissioners of the Land Office, two hundred and fifty dollars.

"For William H. Doughty, for compensation for extra services in preparing a report in relation to the salt lands belonging to the State, for the Constitutional Convention, two hundred dollars.

"For the chaplains of the Convention, for each day of attendance at the sessions of the same, three dollars, to paid to the secretary of the Convention for distribution.

"For Henry McBride, for services rendered Constitutional Convention, in City Hall, for taking charge of the room used by Convention, for each day of service, three dollars.

"For William Lombard, watchman, and John Gardiner and John Brown, laborers at the Capitol, for extra services during the sitting of the Convention, for each day of service, one dollar.

"For Henry C. Southwick, Jr., one hundred dollars, and Edward Savage two hundred dollars, for services for the finance committee of said Convention.

"For Sarah Moran and Jane Gray, for extra labor in cleaning the library during the session of the Convention, each fifty dollars.

"For the Sergeant-at-Arms, assistant sergeant-at-arms, librarian, janitor, doorkeepers and messengers of the Constitutional Convention, the

same rate of extra compensation as is allowed in this act to the like officers in the Senate and Assembly.

"For A. Graves, for services as messenger to the Constitutional Convention, for each day of service, two dollars.

"For Henry B. Burr, chief warrant clerk of the Comptroller's office, for compensation for extra services in examining and disbursing the appropriations for the expenses of the Constitutional Convention, five hundred dollars.

"For S. W. Stocking, for extra compensation for services in preparing a report to the Constitutional Convention, concerning applications for pardons, one hundred and twenty-five dollars.

"For J. W. Brockway, for extra compensation for preparing report to the Constitutional Convention, in regard to claims pending before the Canal Appraisers, one hundred dollars.

"For Joseph Clinton, for furnishing and drawing sixty yards of tan bark for street at the side of the Capitol, and for removing the same, eighty-two dollars.

"For Edward M. Johnson, for engrossing the new constitution adopted by the Constitutional Convention, engrossed on parchment under the orders of the President and Secretary of the Convention, three hundred dollars.

"For John McDonald, for services as the President's messenger, two dollars for each day's service."

Page 10, line 17, add after the word "dollars" the following:

"For printing and binding five hundred copies of the laws and ordinances enacted by the director-general and council of the New Netherlands, from the year 1638 till the year 1674, translated from the original Dutch records at the office of the Secretary of State, pursuant to a resolution of the Senate, adopted on the 20th day of April, 1867, five thousand two hundred and eighty dollars and seventy cents. For printing volumes 7 and 8 of muster rolls of New York State Volunteers, under the direction of the Adjutant-General, to be paid upon the certificate of the Adjutant General that the work has been printed and delivered, twelve thousand five hundred dollars. For printing testimony in the Erie railway investigation, six hundred and fifty dollars."

Same page, line 28, add the following:

"For E. H. Bender, for stationery and articles furnished to the Court of Appeals, five hundred and sixty-one dollars and eighty-one cents."

Page 11, line 6, add the words "said additional compensation to be ratably divided according to their respective terms of service."

Also the following: "For George Krank, for compensation as crier of the Court of Appeals, while attending the term of said court in the city of New York, seventy-eight dollars; and for the two attendants, each seventy-eight dollars."

Same page, line 11, strike out the words "the indictments," and insert the words "two indictments against Elias J. Hicks and James H. Wheeler."

Same page, strike out lines from 32 to 37, inclusive; also insert the following:

"For the office of the Comptroller, for compensation of the clerks therein and of the finance committee clerk for extra services in preparing statistical tables concerning corporations and joint stock companies in the State, pursuant to the resolution of the Senate, seven hundred dollars, to be divided among them respectively."

Page 12, after line 3, insert the following:

"For H. B. Goodwin, for compensation as messenger for the State Engineer and Surveyor and the Superintendent of Public Instruction, three hundred dollars."

Also the following:

"For the office of the Comptroller, for the purchase of a safe for the safe keeping of the bonds to the people for Common School Fund lands and other valuable papers, five hundred dollars.

"For J. N. Parker, for repairs in State Library, and for shelves and cases, eight hundred and sixty-eight dollars and twenty-six cents.

"For Victor M. Rice, in addition to his salary as Superintendent of Public Instruction, two thousand five hundred dollars; and for Samuel D. Barr, for addition to his salary as Deputy Superintendent of Public Instruction, one thousand dollars.

"For the commissioners appointed to confer with the authorities of the State of New Jersey, in regard to quarantine jurisdiction, etc., pursuant to section 7 of chapter 613 of the Laws of 1865, for compensation and necessary expenses, to be paid on the certificate of the Governor, four thousand dollars."

Same page, after line 15, add the following paragraphs:

"For the board of commissioners constituted by the act entitled 'An act in relation to quarantine in the port of New York, and providing for the construction of the permanent quarantine establishment, passed April 21, 1866,' the sum of fifty thousand dollars, to enable said board to erect an exterior wall and foundation on west bank, in the lower bay of New York, on which to erect such buildings and appurtenances as may be necessary for use for the reception and detention of persons who have been exposed to contagious or infectious diseases, but are not actually sick, and also for use as a landing and boarding station for quarantine purposes; but the said exterior wall and foundation shall be erected according to plans and specifications made by a competent engineer, to be selected by said board, and the materials therefor shall be furnished, and the work thereon shall be performed, by contract, to be entered into in the manner prescribed by the fourth section of said act, except that separate portions of said work may be let by separate contracts, and except also that said board may, in its discretion, reject any bid which it may not deem for the interest of the State to accept.

"For said board of commissioners, the further sum of twenty-five thousand dollars, to enable them to acquire a site on Coney Island, and erect thereon residences for the officers and men engaged in the administration of quarantine in the port of New York, said sum to be in lieu of the sum appropriated to the commissioners of quarantine by chapter 481 of the Laws of 1867, for the construction of the necessary docks and buildings for a landing and boarding station on said island, and paying for the site thereof. The site so to be acquired by said board of commissioners shall be on the westerly end of said island, west of a line drawn due north and south across the same, ten rods east of the easterly side of the building known as the Pavilion, and in case said board shall be unable to acquire title to the same by purchase, they, or a majority of them, shall make and record, in the office of the register of the county of Kings, a certificate describing the site selected by them, and they may then acquire title thereto in behalf of the people of the State, under and pursuant to the provisions of the third section of chapter 543 of the Laws of 1867, which provisions are hereby extended and made applicable to acquiring title to the site herein authorized to be selected. So much of existing laws as authorize the selection of any other site upon said island, or the use of any part thereof, for any

purpose connected with quarantine other than as a place for the residence of the officers and men connected with the administration thereof, is hereby repealed."

Page 12, line 20, change the words "twenty-five thousand dollars" to the words "fifty thousand dollars." Same page, add at the end of line 27 the following: "for the same purposes; and the treasury of the State shall be reimbursed for such sum as may be paid, according to the provisions of chapter 751 of the Laws of 1866, and of chapter 543 of the Laws of 1867."

Same page, strike out lines 33 and 34, and insert the following:

"For Morgan Augsburgy, late agent and warden of the State prison at Auburn, for extra labor, one thousand dollars, which shall be in final settlement of all claims against and all dues and liabilities to the State."

Page 13, strike out lines 3 and 4, and insert the following:

"The board of Metropolitan police shall have power, on the application of the health officer of the port of New York, to appoint special patrolmen, not exceeding five in number at any one time, to perform police duty at quarantine. Such special policemen while in office shall possess the powers and be subject to the laws, rules and regulations applicable to regular patrolmen of the Metropolitan police force, and receive the same compensation, which shall be provided and paid in the same manner as other quarantine expenses."

Same page, line 12, strike out the words "seventy-five thousand dollars," and insert the words "one hundred thousand dollars." Same page, lines 14 and 15, strike out the words "to be expended under the direction of the trustees of that institution."

Same page, after line 27, insert the following:

"For the commissioners of public accounts, for additional compensation for heretofore examining the accounts of the Paymaster General, and other military departments, in addition to their duties, to each of them, one thousand two hundred dollars.

"The Bureau of Military Statistics is hereby transferred and constituted a bureau in the department of the Adjutant General."

Same page, after line 28, add the following:

"For the board of trustees of the State Institution for the Blind, to defray indebtedness incurred in repairing and fitting up the Susquehanna Seminary buildings at Binghamton as a temporary institution for the blind, and for taking care of the same for one year, ten thousand one hundred and twenty-seven dollars; and for printing, stationery, postage, express charges and mileage of said trustees, one thousand two hundred dollars.

"For the administrator of the estate of William B. Wright, deceased, the balance of salary for the current year as judge of the Court of Appeals.

"For Mrs. Mary Schrugham, wife of William W. Schrugham, deceased, one thousand three hundred and sixty-nine dollars and fifty-six cents, being the balance of her husband's salary for the year 1867.

"For the purchase of woodlands, or an interest therein equal at least to ten thousand acres in severalty; if such quantity of woodland can be obtained in severalty convenient for the purposes of the prison and on terms equally advantageous for the State near Clinton prison, eighty thousand dollars; and the State Engineer and Surveyor, the Comptroller and the Inspector of State Prisons in charge of the State prison at Clinton, are hereby authorized and required to determine upon the necessity and propriety of purchasing such wood lands and interest therein; and if they shall decide that such purchase is necessary and

proper, and that the contract made in pursuance of chapter 733 of the Laws of 1867, by John Hammond, Inspector of State prisons, with Smith M. Weed, for the purchase of lands and interest therein near said prison, dated January 4, 1868, is an advantageous contract to the State, and that the price therein agreed to be paid is a fair and reasonable price, then, and in such case, upon filing a certificate to that effect in the office of the Comptroller, such contract shall be ratified, and be a binding obligation upon the State, and said sum of eighty thousand dollars, or so much thereof as shall be necessary, shall be paid by the Treasurer, upon the warrant of the Comptroller, to said Weed therefor.

"For Clinton prison, for repairs and improvements, eleven thousand six hundred dollars, to be expended as follows, namely: for altering rolling mill, ten thousand dollars; for repairs to plank roads, one thousand six hundred dollars, to be expended under the direction of the Prison Inspectors.

"For the purchase of two hundred acres of woodland at Clinton prison, on which are located five prison coal kilns, and thirty acres, more or less, of mill-site land and saw mill thereon, now partly owned by the State, the sum of five thousand five hundred dollars.

"For John Parkhurst, for compensation as superintendent of the iron works at Clinton Prison, the sum of two thousand dollars.

"For Clute Brothers, for putting in water pipes and hydrants for fire purposes at the asylum for insane convicts, the sum of fifteen hundred and fifty dollars and sixty cents.

"For repairs and improvements to the Sing Sing prison, sixteen thousand five hundred dollars, to be expended as follows, namely: For repairs to roofs, three thousand eight hundred and seventy-five dollars; for hydrant hose, four hundred and twenty-five dollars; for completing new hospital, fifteen hundred dollars; for steam heating apparatus, four hundred and fifty dollars; for furnishing the same, eight hundred dollars; for enlarging chapel, twelve hundred and fifty dollars; for enlarging the storehouse, three hundred and fifty dollars; for enlarging chain shop, and for tools, two thousand five hundred and fifty dollars; for repairing docks, five thousand one hundred and fifty dollars; for one new cooking cauldron, one hundred and fifty dollars.

"The Comptroller is hereby authorized to pay to the Inspectors of the State Prisons, for use at the State Prison at Sing Sing in working the quarries, such sum, not to exceed five thousand dollars per month, as he may, from the estimates and vouchers submitted to him by them, deem necessary, which sum shall be paid from the earnings of the working of said quarries, and from no other fund.

"For the prison at Auburn, for repairs and improvements, six thousand eight hundred and eighty-five dollars and eighty cents, to be expended as follows, namely: For a new kitchen and bakery, two thousand dollars; for repairs to roofs, eleven hundred dollars; for addition to State shop two hundred dollars; for hydrant hose, one thousand dollars; for paints and oils, one hundred dollars; for cross wall in machine shop, one hundred dollars; for extension of steam heating apparatus, two thousand three hundred and thirty-five dollars and eighty cents.

The Senate recedes from its amendment providing as follows:

"For supplying each convict at the several State prisons and the asylum for insane convicts with a Bible and hymn book, as required by law, the sum of nineteen hundred dollars.

Page 15, lines 31 and 32, strike out the words "Commissioners of the Land Office," and insert the words "secretary of the Board of Regents of the University, and the Comptroller."

Same page, line 36, strike out the word "two," and insert the word "three."

Same page, after line 33, insert the following: "For the Regents of the University for expenses, four hundred dollars."

Page 17, after line 1, add the following: "For John Gordon, being the amount directed to be paid by chapter 609 of the Laws of 1867, one hundred and twenty-two dollars and sixty-nine cents."

"For repayment of moneys deposited in the treasury by public administrators pursuant to law, to the heirs and persons next of kin entitled to receive the same, upon order of the Supreme Court, one thousand dollars."

"For Indians of the Seneca Nation, for payment of their expenses when visiting the city of Albany on business relating to Indian affairs, to be paid on the certificate of the Governor, one hundred dollars."

"For Thomas McLanghlin, in full for services for five months in assisting in the preparation of the calendar of historical manuscripts, five hundred dollars."

"For James R. Allaben, for salary and expenses as commissioner of quarantine, two thousand seven hundred and twenty-one dollars and ninety-three cents; and for William A. Cobb, for expenses incurred in prosecuting a suit in the name of the people against James R. Allaben, including judgment for costs in said suit, amounting to two hundred and twenty-eight dollars and twenty-nine cents, in all one thousand two hundred and twenty-eight dollars and twenty-nine cents; and the Attorney-General is hereby directed to repay to William A. Cobb the sum of fifty dollars, deposited by said Cobb on the beginning of said suit."

"For John H. Austin, for repayment of money erroneously paid into the treasury as auctioneer's dues, one hundred and seventy-one dollars and ninety-four cents."

"For Alfred B. Street, for indexing two hundred and three volumes of cases and points of the Court of Appeals, to be paid when he shall complete said index and transfer the copyright to the State, five hundred dollars."

"For O. B. Latham, for counsel and witness' fees, and all other expenses incurred by him upon the investigation concerning the new Capitol commission before the committee on finance of the Senate, one thousand one hundred and fifty dollars."

"For the improvement of the rafting channel of the Delaware river and its tributaries, to be paid to one commissioner appointed by the county judges of the counties of Delaware and Sullivan, who shall render to the Comptroller sworn statements of the expenditure of said appropriation, the sum of five thousand dollars appropriated by chapter 481 of the Laws of 1867, is hereby re-appropriated, to be paid only when it shall be shown to the satisfaction of the Comptroller that the States of Pennsylvania and New Jersey, or either of them, has heretofore appropriated, or shall hereafter appropriate, ten thousand dollars for the improvement of said river."

"For the State Agricultural Society, for the investigation of the causes of abortion among cows, in addition to the amount heretofore appropriated, five thousand dollars."

"The sum of five thousand dollars is hereby appropriated to be paid on the certificate of the Secretary of State and Secretary of the Board of Regents, for any deficiencies growing out of contracts heretofore made by these officers, or expenses otherwise incurred in the preparation of the Natural History of the State, and they shall have control of all matters concerning the same, with power to continue in force any

existing contracts, or to make such others as shall hasten the completion of the work, and they may likewise have power to publish in abridged or epitomized form any portions of said work, if in their judgment, it may be for the public advantage.

"For E. F. Bullard, for counsel of the Senate committee to investigate the management of the canals, two hundred and fifty-five dollars.

"For Sarah E. Rose, the widow of Edwin Rose, deceased, late colonel of the Eighty-first Regiment New York State Volunteers, for compensation for the services of said Edwin Rose, in organizing, drilling and disciplining the Eighty-first Regiment New York State Volunteers, from September 25th, 1861, to February 10th, 1862, both days inclusive, and for disbursements expended in and about the same, one thousand and forty-four dollars and sixty cents; to be paid on due proof to the Comptroller that no part of the same has been paid or satisfied.

"For D. J. Mitchell, for services as attorney and counsel to the Senate committee to investigate the management of the canals of the State, and for expenditures, five thousand dollars.

"The appropriation of two hundred dollars, made in chapter 748 of the Laws of 1866, for the erection of a monument on the western boundary of the State, is hereby re-appropriated.

"For Franklin A. Alberger, for making the annual report of the Canal Commissioners for year 1867, after his term of office had expired, three hundred dollars."

"For Frederick Bischoff, for medical services rendered during the war, in the examination of volunteers by the instruction of the Surgeon General, two hundred and forty-five dollars.

"For the Prison Association of the State of New York, four thousand dollars, and the said association, in addition to the powers heretofore conferred upon them, are hereby instructed and required to examine any person or persons with reference to the moral or financial administration of the prisons of this State, and the reformatory agencies employed in them, provided that no expense shall be incurred to the State in such examination.

"For Rensselaer Lamb, for services as appraiser, under chapter 666 of the Laws of 1867, seventy-five dollars.

"For the heirs of Chauncey E. Goodrich, the producer of the Goodrich seedling potato, two thousand dollars.

Page 17, lines 2 to 22, is amended so as to read as follows:

"The unexpended remainder of the appropriation made by chapter 397 of the Laws of 1862, renewed by chapter 347 of the Laws of 1864, and again renewed by chapter 748 of the Laws of 1866, being originally 'for the payment of certain claims incurred in the organization, equipment and subsistence of troops raised in the State of New York, for service in the United States,' is hereby appropriated for the maintenance of the National guard of the State of New York, to be applied, so far as necessary, as follows, namely: for the completion of the Schenectady arsenal, pursuant to chapter 850 of the Laws of 1866, and in lieu of any appropriation made by any statute of the present year, twenty-five thousand dollars; for the repairs of the arsenal at Batavia, four hundred dollars; for the State arsenal at Syracuse, for repairs and improvements, to be paid to R. Nelson Gere, nine hundred and two dollars and one cent; for the twenty-fourth regiment of the National guard, for alterations in the uniform, one thousand dollars; for the repair of the armory at Norwich, twelve hundred dollars, to be expended under the direction of Colonel Lewis A. Rhodes; and the residue is hereby appropriated to the use of the National guard of this State."

Same page, lines 23 to 34 inclusive are restored. Same page, line strike out the word "five," and insert the word "ten." Same page, line 44, also lines 1, 2 and 3, on 18th page, relative to Stephen Maxon, are restored.

Page 18, line 6, strike out the words "seven hundred and fifty dollars," and insert the words "one thousand dollars." Same page, line 9, strike out the word "one," and insert the word "two."

Same page, at end of line 13, add the following:

"The supervisors of the counties of Erie and Chautauqua shall assess upon their respective counties a moiety of such further sum, not exceeding ten thousand dollars, as the said commissioners shall certify to be necessary for the completion of the said bridge. The commissioners shall have power to obtain any necessary materials for building said bridge of the Seneca nation of Indians."

Same page, line 19, strike out the words "for balance of," and insert the word "upon." Same page, line 20, strike out the words "and in full for all his claims against the State."

Same page, at the end of line 21, add the following:

"But this appropriation is upon the condition that the matter involved herein is referred for adjudication to the Secretary of State, the Comptroller, and Attorney-General, who are hereby authorized and required to hear and determine the same, and the said amount shall be paid to said Lockwood upon their certificate to that effect, and not otherwise; and they shall report the facts of the case to the next Legislature, and whether, in their opinion, anything or how much was before this appropriation due from the State to said Lockwood."

Page 18, after line 23, insert the following:

"From the general fund debt sinking fund the sum of five thousand one hundred and thirty-four dollars and seventy-seven cents, being the remainder of the amount appropriated by chapter 16 of the Laws of 1866 to pay certain bonds of the Comptroller now outstanding, issued for temporary loan and payable on demand, is hereby re-appropriated."

Same page, at line 36, insert the words: "from the common school fund."

Page 19, restore lines 6 to 9, inclusive, and add the following items:

"For H. H. Wakely, for compensation for superintending the repairs of the Genesee Valley Canal for five months, in the year 1867, five hundred dollars.

"For Alexander Barkley, for compensation for special services on the Champlain canal, rendered in the year 1867, one thousand dollars."

All of which is respectfully submitted.

J. O'DONNELL,  
A. W. PALMER,  
HENRY C. MURPHY,  
*Senate Committee.*

JOHN L. FLAGG,  
R. FURMAN,  
JOHN C. JACOBS,  
J. H. SELKREG,  
*Assembly Committee.*

On the following amendment to line 9, on page 13, the committee did not concur:

"So much of section 10 of chapter 969 of the Laws of 1867, entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan Police district, passed 22d of June, 1867,' as reads as follows: 'And it is further provided that every owner or owners of a steam boiler or boilers shall cause to be attached thereto a low water indicator, to be of such construction as to be approved by the inspector-in-chief. In case the owner or owners of any such boiler or boilers shall fail to attach or cause to be attached' said



low water indicator, he or they shall be liable to a penalty of five hundred dollars, to be sued for and recovered in the same manner as the penalty imposed by the third section of this act,' is hereby repealed."

The fact of said disagreement is therefore also respectfully submitted.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Mattoon	Nicks	Stanford	
Beach	Edwards	Morgan	Norton	Thayer	
Bradley	Folger	Morris	O'Donnell	Tweed	
Cauldwell	Graham	Murphy	Palmer	Van Patten	
Chapman	Hubbard	Nichols	Parker	Williams	
Creamer	Kennedy				27

Mr. Folger moved that the Senate insist upon the amendment upon which the committee of conference were unable to agree, and that a new committee of conference be appointed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Folger, Thayer and Pierce.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Parker moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Chapman	Kennedy	Nicks	Palmer	Thayer	
Folger	Morgan	O'Donnell	Parker	Van Patten	10

FOR THE NEGATIVE.

Banks	Creamer	Graham	Murphy	Pierce	
Beach	Crowley	Hubbard	Nichols	Stanford	
Bradley	Edwards	Mattoon	Norton	Tweed	
Cauldwell	Genet	Morris			18

Mr. Murphy moved to take from the table the veto of the Governor upon the bill entitled "An act in relation to sheriffs."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Beach	Crowley	Hubbard	Murphy	Stanford	
Bradley	Edwards	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Norton	Van Patten	
Chapman					21

FOR THE NEGATIVE.

Folger	Nicks	Palmer	Parker	Thayer	
Morgan	O'Donnell				7

Mr. Parker moved that the Sergeant-at-Arms be directed to procure the attendance of Mr. Humphrey in the Senate, if able to attend.

Mr. O'Donnell moved to also include Mr. Williams.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nichols	Palmer	Thayer
Folger	Morgan	Nicks	Parker	Van Petten
Hale	Morris	O'Donnell		

18

## FOR THE NEGATIVE.

Banks	Creamer	Genet	Mattoon	Pierce
Beach	Crowley	Graham	Murphy	Stanford
Bradley	Edwards	Hubbard	Norton	Tweed
Cauldwell				

16

Mr. Morgan moved that the Sergeant-at-Arms be instructed to procure the attendance of Senator Williams.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nicks	Palmer	Thayer
Folger	Morgan	O'Donnell	Parker	Van Petten
Hale				

11

## FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Murphy	Pierce
Beach	Edwards	Mattoon	Nichols	Stanford
Bradley	Genet	Morris	Norton	Tweed
Cauldwell	Graham			

17

The President announced the question "Shall this bill pass notwithstanding the objections of the Governor?"

Mr. O'Donnell raised the point of order that the vote upon said bill having been once reconsidered, it is not in order to take this question again.

The Chair in deciding the point raised by the Senator from the Eighteenth district, begs leave to state, that when a like point was raised in this body a few weeks since, during the discussion of the veto message, upon the bill granting State aid to the Whitehall and Plattsburgh railroad, the Chair had not sufficiently examined the important question to determine and decide the same. But one precedent was cited, and that was adverse to the point raised. The Chair accordingly submitted the subject to the decision of the Senate, who overruled the point.

When the present veto message was before the Senate a few days since, a like point was raised by the Senator from the Eighteenth district, on the motion to reconsider the vote by which such veto was sustained. The Chair had not then had an opportunity to examine the question, and again submitted the subject to the decision of the Senate, who again overruled the point.

Since the Chair has carefully considered the question involved, and has examined the journals of both the Senate and Assembly for the past ten years for precedents.

The point now raised is not new, but has been many times presented and decided in each branch of the State legislature. A careful examination shows that each decision, with one single exception, which was the precedent cited during the debate on the Whitehall and Plattsburgh veto, has been in favor of sustaining the point of order as now raised by the Senator from the Eighteenth. This exception, with the two votes at this session already referred to, are the only three decisions which the Chair has been able to find, in opposition to the pending point of order.

In addition to the weight of precedents, were the question a new one, the Chair after deliberation, is clearly of the opinion that the point

of order is sustained alike by the language and spirit of the ninth section of the fourth article of the Constitution of the State.

Accordingly, the Chair feels compelled to sustain the point of order raised by the Senator from the Eighteenth.

Mr. Mattoon appealed from the decision of the Chair.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Humphrey	Nicks	Palmer	Thayer	
Chapman	Morgan	O'Donnell	Parker		9

FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Pierce	
Beach	Edwards	Hubbard	Nichols	Stanford	
Bradley	Genet	Mattoon	Norton	Tweed	
Cauldwell					16

The President then put the question "Shall this bill pass notwithstanding the objections of His Excellency the Governor?" and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Graham	Morris	Pierce	
Beach	Crowley	Hubbard	Murphy	Stanford	
Bradley	Edwards	Kennedy	Nichols	Tweed	
Cauldwell	Genet	Mattoon	Norton	Van Patten	20

FOR THE NEGATIVE.

Campbell	Hale	Morgan	O'Donnell	Parker	
Chapman	Humphrey	Nicks	Palmer	Thayer	
Folger					11

On motion of Mr. Graham, the Senate adjourned.

TUESDAY, MAY 5, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Chapman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Dorothea M. Palmer, wife of Henry N. Palmer, conferring jurisdiction on the Canal Appraisers to hear and determine her claims for compensation for lands appropriated to the enlargement of the Erie canal," reported in in favor of the passage of the same, with amendments.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Chapman, from the committee on claims, to which was referred the Assembly bill entitled "An act authorizing the Canal Board to investigate the claim of Ann Mackintosh, of Buffalo, New York, for damages, &c.," reported in favor of the passage of the same.

On motion of Mr. Nichols, and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

On motion of Mr. Nichols and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the drainage of the low lands in the north part of the town of Amherst, in the county of Erie,' passed April 12, 1867," was recommitted to the committee on the judiciary, with power to report complete.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to provide for transportation underground, in the city of New York, and to authorize the organization of a railroad corporation for that purpose."

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the Industrial Savings Bank of the city of Newburgh," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on claims, to which was recommitted the Assembly bill entitled "An act for the relief of Dorothea M. Palmer, wife of Henry N. Palmer, conferring jurisdiction on the Canal Appraisers to hear and determine her claim for compensation for lands appropriated to the enlargement of the Erie canal," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman, from the committee on claims, to which was recommitted the Assembly bill entitled "An act authorizing and directing the Canal Board to investigate the claim of Ann Mackintosh, of Buffalo, New York, for damages, &c.," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act for the regulation of public cemeteries in Saratoga county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the protection of the planting of oysters in the towns of Gravesend and Flatlands, Kings county," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act to provide for the erection of a town hall in the town of Watervliet, in the county of Albany,' passed May 9, 1867," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for laying out permanent lines of streets, avenues and public places in the town of Flatbush, in the county of Kings," reported adversely thereto; which report was agreed to, and said bill rejected.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

By unanimous consent, Mr. Stanford moved that the Assembly bill

entitled "An act for the relief of Patterson Freeman, assignee of John White," be included in the special order this morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Hale offered the following resolution:

*Resolved*, That a respectful message be sent to the Assembly, requesting them to return to the Senate, Assembly bill No. 325, being an act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868 inclusive.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Morris, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the drainage of the low lands in the north part of the town of Amherst, in the county of Erie,' passed April 12, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release to Dorothea Morenz, the title of the people of the State of New York in and to certain real estate," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Folger, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act relative to summary proceedings to recover the possession of land," with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to release to Dorothea Morenz the title of the people of the State of New York in and to certain real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for the payment of appropriations heretofore made to the Dispensary of the Troy Hospital," reported in favor of the passage of the same.

On motion of Mr. Thayer and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act in relation to the sale of the Marine Hospital," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. O'Donnell, from the committee on finance, to which was referred the Assembly bill entitled "An act in relation to the examination of the accounts of the Treasurer and other State officers," reported adversely thereto.

Mr. Hale moved to lay said report upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nichols, from the committee on canals, to which was recommitted the Assembly bill entitled "An act to provide means for constructing ditches, for carrying off the back water between the Tonawanda creek and Eleven Mile creek, occasioned by the State dam across those streams for canal purposes at Tonawanda, Erie county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommitted the Assembly bill entitled "An act to provide for the payment of appropriations heretofore made to 'The Dispensary of the Troy Hospital,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. O'Donnell, from the committee on finance, to which was recommitted the Assembly bill entitled "An act in relation to the sale of the Marine Hospital grounds," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act for the protection of the planting of oysters in the towns of Gravesend and Flatlands, Kings county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Bradley and by unanimous consent, the rules were suspended, and the bill entitled "An act to reimburse the Second regiment of the National Guard for expenses and losses sustained by its members," was recommitted to the committee on militia and public defence, with power to report complete.

Mr. Crowley, from the committee on municipal affairs, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act authorizing the repairing and improving of Fulton avenue, from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof,' passed May 13, 1867," with power to report complete, reported the same complete, with an amendment; which report was agreed to and said bill ordered to a third reading.

Mr. Parker, from the committee on railroads, to which was referred the Assembly bill entitled "An act to facilitate the construction of a railroad through the county of Allegany, and to amend chapter 344 of the Laws of 1864, being an act entitled 'An act empowering certain towns in the counties of Cattaraugus and Erie, to convey the right of way for railroad purposes,'" reported in favor of the passage of the same.

On motion of Mr. Morris and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from the committee on militia and public defence, to which was recommitted the bill entitled "An act to reimburse the Second regiment of the National Guard for expenses and losses sustained by its members," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Creamer moved to reconsider the vote by which the Assembly bill entitled "An act to incorporate the New York Dramatic Union of the city of New York," was recommitted to the committee on the judiciary, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Creamer and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Mattoon	Pierce
Beach	Edwards	Hubbard	Morris	Stanford
Bradley	Folger	Humphrey	Murphy	Thayer
Campbell	Genet	Kennedy	Nichols	Williams
Cauldwell	Graham			

22

## FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Morgan, from the committee on railroads, to which was recommended the Assembly bill entitled "An act to facilitate the construction of a railroad through the county of Allegany, and to amend chapter 344 of the Laws of 1864, being an act entitled 'An act empowering certain towns in the counties of Cattaraugus and Erie, to convey the right of way for railroad purposes,'" with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Parker moved that the Assembly bill entitled "An act to repair the State works on De Grasse river," be considered in the same committee of the whole with the special order of this morning.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Pierce, from the committee on commerce and navigation, to which was recommended the Assembly bill entitled "An act to incorporate the Vesuvius Fire Proof Warehousing Company," with power to report complete, reported the same complete.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Morris	Stanford
Bradley	Genet	Humphrey	Nichols	Thayer
Cauldwell	Graham	Mattoon	Parker	Van Petten
Creamer	Hale	Morgan	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Murphy, from a majority of the committee on the judiciary, to which was recommended the Assembly bill entitled "An act to incorporate the 'People's Safe Deposit Company,'" with power to report complete, reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Continental Hall Company of Greenpoint, in the city of Brooklyn, county of Kings," reported in favor of the passage of the same.

On motion of Mr. Murphy and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bills entitled as follows:

"An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers."

Assembly, "An act for the relief of Patterson Freeman, assignee of John White."

Assembly, "An act to repair the State works on De Grasse river."

After some time spent therein, the President resumed the chair, and Mr. Van Petten, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Van Petten, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Banks moved to take from the table the Assembly bill entitled "An act to amend chapter 280, section 73, Laws of 1847, relating to a reporter for the Supreme Court."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Banks, and by unanimous consent, the bill was amended as follows:

Strike out in section one the words "eight judges of the Supreme Court having the shortest term to serve," and insert the words "Governor, Secretary of State and Attorney General." Also, strike out the word "and" and insert the word "index," as in engrossed bill.

Mr. Hale moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hubbard	Nichols	Pierce
Campbell	Edwards	Kennedy	Nicks	Tweed
Cauldwell	Folger	Mattoon	Parker	Van Potten
Creamer	Graham	Morris		

18

FOR THE NEGATIVE.

Hale	O'Donnell	Stanford
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3

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, as amended.

Mr. Crowley, from the committee on municipal affairs, reported back the amendments to the bill entitled "An act supplementary to chapter 489 of Laws of 1867, and to provide for the collection and application of



revenue in the county of New York, in certain cases," with a recommendation that the Senate do non-concur in the amendments.

The President put the question whether the Senate would agree to non-concur, and it was decided in the affirmative.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in their amendments.

Mr. Tweed, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to authorize the magistrates in the city of New York to commit orphan and friendless children to the care of the society known as the Shepherd's Fold of the Protestant Episcopal Church in the State of New York," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the Continental Hall Company of Greenpoint, in the city of Brooklyn, county of Kings," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Van Petten moved to take from the table the question agreeing to the report of the committee on the judiciary adverse to the Assembly bill entitled "An act relating to the surrogate and county judge of the county of Otsego."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Van Petten moved to disagree with the report of the committee, and that the bill be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to incorporate the United States Contracting Company," with a message that they had passed the same with the following amendments:

Section 1, line 8, printed bill, at the end thereof insert "John C. Brodhead, John Hayes, William B. Ruggles, Homer A. Nelson, Carroll E. Smith, Charles W. Wiley."

Same section, line 12, strike out "perpetual," and after word "succession" insert the words "fifty years."

Section 3, add at the end thereof: "nothing herein contained shall be construed as giving banking privilege."

At the end of line 3, section 5, insert: "notice of which shall be published in two daily papers in the city of New York for ten days."

Section 1, line 2, insert "thirty" in place of "twenty-four" stricken out.

Line 4, same section, strike out "thirteen" and insert "a majority."

Same section, line 11, strike out "eight" and insert "ten."

Section 8, line 8, strike out the words "have the power and"

Mr. Genet moved to lay the bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence the bills entitled as follows:

"An act authorizing the West Station M. E. Church of the city of Albany to change its name to the Trinity M. E. Church of Albany, and to confirm the title to the property thereof in the Trinity M. E. Church of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act entitled 'An act to authorize the Buffalo, Corry and Pitts-

burgh Railroad Company to procure water for the purpose of supplying the engines used on said road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, to report complete.

"An act to incorporate the New York Burglar Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act to open, extend and improve Fourth street, Brooklyn, E. D.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on municipal affairs.

"An act to authorize the drainage of marsh land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to regulate the fees of commissioners of highways in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the Saint Jean Baptist French Church of the city of Troy to reorganize," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the rate of ferriage between the cities of New York and Brooklyn," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Pierce stated his dissent from the report of the committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Humphrey, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act for the better regulation of the ferries between the cities of New York and Brooklyn, eastern district," reported adversely thereto, which report was agreed to and said bill rejected.

Mr. Pierce stated his dissent from the report of the committee.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly returned the bill entitled "An act to incorporate the International Dock Company," with a message that they had passed the same, with the following amendment:

Section 1. Strike out the name of "John G. Boughton" and insert the names of "Edgar Rogers and James N. Ranney."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Kennedy	Nichols	Thayer
Beach	Creamer	Mattoon	Parker	Tweed
Bradley	Graham	Morris	Stanford	Van Petten
Campbell	Hale	Murphy		

18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Genet moved to take from the table the bill entitled "An act to incorporate the United States Contracting Company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to concur in the amendments of the Assembly, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Mattoon	Thayer
Bradley	Edwards	Hubbard	Morris	Tweed
Campbell	Genet	Humphrey	Pierce	Van Petten
Cauldwell	Graham	Kennedy	Stanford	

19

FOR THE NEGATIVE.

Nicks	O'Donnell	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Murphy offered the following resolution:

*Resolved*, That the thanks of this Senate are due to the Hon. Stewart L. Woodford for the ability, amenity, and impartiality with which he has presided over its deliberations, and in parting with him we tender him our best wishes for his future happiness and prosperity.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, unanimously.

Mr. O'Donnell, from a majority of the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain public and charitable institutions," reported in favor of the passage of the same, with amendments.

On motion of Mr. O'Donnell and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

On motion of Mr. Bradley and by unanimous consent, the bill entitled "An act to reimburse the Second regiment of the National Guard for expenses and losses sustained by its members," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Beach	Edwards	Mattoon	Palmer	Thayer
Bradley	Genet	Murphy	Parker	Tweed
Campbell	Hubbard	Nichols	Pierce	Van Petten
Cauldwell				

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27th, 1863, and for the relief of the Adirondack company formed under said act," with a message that they had passed the same, with the following amendment:

Amend section 3 by adding after the word "road" in the first line, as

follows: "from some point on its line between the north line of the town of Thurman, in the county of Warren, and the southerly line of the county of Essex."

The President put the question whether the Senate would agree to concur in said amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Mattoon	O'Donnell
Beach	Creamer	Hubbard	Morris	Palmer
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Nicks	Van Petten
Caldwell	Graham			

22

## FOR THE NEGATIVE.

Thayer

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. O'Donnell, from the committee on finance, to which was recommended the Assembly bill entitled "An act making appropriation for certain public and charitable institutions," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. O'Donnell and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Stanford
Bradley	Folger	Kennedy	O'Donnell	Tweed
Campbell	Genet	Mattoon	Palmer	Van Petten
Caldwell	Graham	Murphy	Parker	Williams
Crowley	Hale			

22

## FOR THE NEGATIVE.

Chapman

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the draining of marsh land," reported in favor of the passage of the same.

On motion of Mr. Beach and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Mattoon offered the following resolution:

*Resolved*, That the Clerk be authorized to procure five copies of the Red Book for each messenger, and each clerk of a committee of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and the bill entitled "An act to open, alter, extend and widen

certain roads in the county of Richmond," was recommitted to the committee on roads and bridges, with power to report complete.

Mr. Stanford moved to take from the table the motion to reconsider the vote upon the Assembly bill entitled "An act to amend an act for the preservation of the public health, passed April 10th, 1850, and to repeal chapter 169 of the Laws of 1854, amendatory thereof."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, the vote being as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	O'Donnell	Tweed
Campbell	Edwards	Humphrey	Parker	Van Petten
Cauldwell	Graham	Kennedy	Pierce	Williams
Chapman	Hale	Nichols	Stanford	
				19

## FOR THE NEGATIVE.

Thayer	1
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Graham	Kennedy	Norton	Stanford
Campbell	Hale	Mattoon	O'Donnell	Tweed
Creamer	Hubbard	Murphy	Parker	Van Petten
Crowley	Humphrey	Nichols	Pierce	Williams
Edwards				
				21

## FOR THE NEGATIVE.

Thayer	1
--------	---

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Cauldwell moved that the committee on the judiciary be discharged from the further consideration of the Assembly bill entitled "An act authorizing the supervisors of the several counties in the second judicial district, not including the county of Kings, to appropriate and pay compensation to justices of the Supreme Court, and to stenographers for said court," and that the same be referred to the committee on internal affairs of towns and counties.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Nichols offered the following resolution:

*Resolved*, That the thanks of the Senate are due to the Hon. Charles J. Folger, President *pro tem.*, for the ability promptitude, and impartiality with which he has presided over its deliberations, and we tender him our best wishes for his future happiness and prosperity.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Creamer offered the following resolution:

*Resolved*, That the thanks of the Senate be and are hereby tendered to James Terwilliger, Clerk of the Senate, for the fidelity, promptitude and energy with which he has discharged the important duties of his office, and that we hereby express to him our unqualified approbation for his uniform courtesy and attention to the wishes of the members of this body.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Parker, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act to authorize the Buffalo, Corry and Pittsburgh Railroad Company to procure water for the purpose of supplying the engines used on said road," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Nicks, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to regulate the fees of commissioners of highways in the county of Suffolk," reported in favor of the passage of the same.

On motion of Mr. Edwards and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the supervisors of the several counties in the second judicial district, not including the county of Kings, to appropriate and pay compensation to justices of the Supreme Court, and to stenographers for said court," reported in favor of the passage of the same.

On motion of Mr. Cauldwell and by unanimous consent, the rules were suspended and said bill recommitted to the committee, with power to report complete.

Mr. Stanford moved to take from the table the motion to reconsider the vote disagreeing to the report of the committee of conference upon the bill entitled "An act to repeal the act entitled 'An act to enlarge the powers and define the duties of the Contracting Board,' passed March 14, 1857; and to repeal the act entitled 'An act to amend the act entitled 'An act to enlarge the powers and duties of the Contracting Board,' passed March 14, 1857; passed April 23, 1867; and to define the method in which the repairs of the canals shall be hereafter conducted.'"

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Banks	Cauldwell	Graham	Murphy	Stanford
Beach	Creamer	Hubbard	Nichols	Tweed
Bradley	Edwards	Morris	Norton	

14

#### FOR THE NEGATIVE.

Campbell	Hale	Mattoon	O'Donnell	Thayer
Chapman	Humphrey	Morgan	Palmer	Van Petten
Crowley	Kennedy	Nicks	Parker	Williams
Folger				

16

Mr. Van Petten, from a majority of the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act authorizing the supervisors of the several counties in the second judicial district, not including the county of Kings, to appropriate and pay compensation to justices of the Supreme Court, and to stenographers for said court," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Campbell stated his dissent from the report of the committee.

Mr. Nicks, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to regulate the fees of commissioners of highways in the county of Suffolk," with power to

report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Murphy moved that all bills ordered to a third reading, this day, be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly bill entitled "An act for the relief of Dorothea M. Palmer, wife of Henry N. Palmer, conferring jurisdiction on the Canal Appraisers to hear and determine her claim for compensation for lands appropriated to the enlargement of the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Humphrey	Nichols	Thayer
Campbell	Edwards	Mattoon	Norton	Tweed
Cauldwell	Hale	Morris	Parker	Van Petten
Chapman	Hubbard	Murphy	Stanford	Williams

20

## FOR THE NEGATIVE.

O'Donnell

2

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to provide means for constructing ditches for carrying off the back water between the Tonawanda creek and Eleven Mile creek, occasioned by the State dam across those streams for canal purposes at Tonawanda, Erie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nichols	Parker
Cauldwell	Graham	Kennedy	Nicks	Stanford
Creamer	Hale	Mattoon	Norton	Van Petten
Crowley	Hubbard	Morris	Palmer	Williams

20

## FOR THE NEGATIVE.

Chapman

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the drainage of the low lands in the north part of the town of Amherst, in the county of Erie,' passed April 12, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morris	Stanford
Campbell	Crowley	Hubbard	Nichols	Tweed

Cauldwell	Edwards	Humphrey	Norton	Van Petten	
Chapman	Folger	Mattoon	Parker	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing and directing the Canal Board to investigate the claim of Ann Mackintosh, of Buffalo, New York, for damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Edwards	Humphrey	Nicks	Thayer	
Campbell	Folger	Kennedy	Norton	Tweed	
Cauldwell	Graham	Mattoon	Palmer	Van Petten	
Chapman	Hale	Morris	Parker	Williams	
Creamer	Hubbard	Nichols	Stanford		24

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Norton	Thayer	
Beach	Graham	Morgan	Pierce	Tweed	
Bradley	Hale	Morris	Stanford	Van Petten	
Cauldwell	Hubbard				17

## FOR THE NEGATIVE.

Campbell	Edwards	Humphrey	Nichols	Palmer	
Chapman	Folger	Kennedy	Nicks	Williams	
Crowley	Genet	Murphy	O'Donnell		14

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the transportation under ground in the city of New York, and to provide for the organization of a railroad corporation for that purpose," having been announced for a third reading,

Mr. Cauldwell moved to lay the same upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Chapman	Folger	Morris	Palmer	
Campbell	Creamer	Hale	Norton	Parker	
Cauldwell	Edwards	Hubbard	O'Donnell	Van Petten	16

## FOR THE NEGATIVE.

Genet	Humphrey	Mattoon	Nicks	Tweed	
Graham	Kennedy	Morgan	Thayer		



The Assembly bill entitled "An act to incorporate the Industrial Savings Bank of the city of Newburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Campbell	Edwards	Kennedy	Nichols	Parker	
Cauldwell	Graham	Mattoon	Nicks	Thayer	
Creamer	Hubbard	Morgan	Norton	Williams	
Crowley	Humphrey	Morris			18

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act authorizing the repairing and improving of Fulton avenue, from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place, from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof,' passed May 13th, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Kennedy	Nichols	Stanford	
Campbell	Folger	Mattoon	Nicks	Tweed	
Cauldwell	Graham	Morgan	Norton	Van Patten	
Creamer	Hubbard	Morris	Parker	Williams	
Crowley	Humphrey	Murphy			23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Patterson Freeman, assignee of John White," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bradley	Edwards	Hale	Mattoon	Parker	
Campbell	Folger	Hubbard	Morgan	Thayer	
Cauldwell	Genet	Humphrey	Morris	Tweed	
Creamer	Graham	Kennedy	Nichols	Williams	20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Buffalo, Corry and Pittsburgh Railroad Company to procure water for the purpose of supplying the engines used on said road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Folger	Kennedy	Murphy	Tweed
Campbell	Graham	Mattoon	Nichols	Van Petten
Cauldwell	Hubbard	Morgan	O'Donnell	Williams
Edwards	Humphrey	Morris	Parker	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Continental Hall Company of Greenpoint, in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Edwards	Hubbard	Morris	Tweed
Cauldwell	Genet	Humphrey	Nicks	Van Petten
Creamer	Graham	Kennedy	Parker	Williams
Crowley	Hale	Mattoon	Stanford	19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the magistrates in the city of New York to commit orphans and friendless children to the care of the society known as the Shepherd's Fold of the Protestant Episcopal Church, in the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Norton	Thayer
Cauldwell	Hubbard	Morris	O'Donnell	Tweed
Edwards	Humphrey	Murphy	Parker	Van Petten
Genet	Kennedy	Nichols	Stanford	Williams
Graham	Mattoon	Nicks		28

## FOR THE NEGATIVE.

Crowley 1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repair the State works on De Grasse river, in St. Lawrence county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Murphy	Stanford
Bradley	Folger	Humphrey	Nichols	Thayer
Campbell	Genet	Kennedy	Nicks	Tweed
Cauldwell	Graham	Morgan	Norton	Van Petten
Creamer	Hale	Morris	Parker	Williams
				25

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to facilitate the construction of a railroad through the county of Allegany, and to amend chapter 344 of the Laws of 1864, being an act entitled 'An act empowering certain towns in the counties of Cattaraugus and Erie, to convey the right of way for railroad purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nicks	Thayer
Bradley	Graham	Mattoon	Norton	Tweed
Campbell	Hale	Morris	Parker	Van Petten
Cauldwell	Hubbard	Nichols	Stanford	Williams
Creamer				

21

## FOR THE NEGATIVE.

Morgan

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the protection of the planting of oysters in the towns of Gravesend and Flatlands, Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Nichols	Stanford
Bradley	Folger	Humphrey	Nicks	Thayer
Campbell	Genet	Mattoon	Norton	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Creamer	Hale			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the sale of the Marine Hospital grounds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Genet	Mattoon	Nichols	Parker
Cauldwell	Graham	Morgan	Nicks	Stanford
Creamer	Hubbard	Morris	Norton	Thayer
Edwards	Humphrey	Murphy	O'Donnell	Van Petten
Folger	Kennedy			

22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to provide for the payment of appropriations heretofore made to the Dispensary of the Troy Hospital," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Hubbard	Morris	Thayer
Campbell	Genet	Humphrey	Nichols	Tweed
Cauldwell	Graham	Kennedy	Parker	Van Petten
Creamer	Hale	Mattoon	Stanford	Williams
Edwards				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release to Dorothea Morenz the title of the people of the State of New York in and to certain real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Stanford
Bradley	Folger	Kennedy	Nichols	Thayer
Campbell	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hale	Morgan	Norton	Van Petten
Creamer	Hubbard	Morris	Parker	Williams
Crowley				

26

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to summary proceedings to recover possession of land," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Folger	Kennedy	Nicks	Thayer
Campbell	Genet	Mattoon	Norton	Tweed
Cauldwell	Graham	Morgan	Parker	Van Petten
Creamer	Hubbard	Morris	Stanford	Williams
Edwards	Humphrey	Nichols		

28

## FOR THE NEGATIVE.

Hale

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the supervisors of the several counties in the Second Judicial district, not including the county of Kings, to appropriate and pay compensation to justices of the Supreme Court, and to stenographers for said court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Mattoon	Nicks	Stanford
Cauldwell	Hubbard	Morgan	Norton	Tweed

Creamer Edwards	Humphrey Kennedy	Morris Nichols	Parker	Van Petten	18
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## FOR THE NEGATIVE.

Campbell	Folger	Hale	Williams	4
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to regulate the fees of commissioner of highways in the county of Suffolk," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Genet	Humphrey	Morris	Parker
Campbell	Graham	Kennedy	Nichols	Thayer
Cauldwell	Hale	Mattoon	Nicks	Tweed
Edwards	Hubbard	Morgan	Norton	Van Petten
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relating to the surrogate and county judge of the county of Otsego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Beach	Hubbard	Morgan	Norton	Thayer
Cauldwell	Humphrey	Morris	O'Donnell	Tweed
Creamer	Kennedy	Murphy	Parker	Van Petten
Genet	Mattoon	Nichols	Stanford	
				19

## FOR THE NEGATIVE.

Folger	Hale	2
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the regulation of public cemeteries in Saratoga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Genet	Kennedy	Nichols	Stanford
Cauldwell	Graham	Mattoon	Norton	Tweed
Creamer	Hale	Morgan	Parker	Van Petten
Edwards	Humphrey	Morris	Pierce	Williams
				20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Edwards, and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the incorporation of insurance compa-

nies,' passed April 19, 1867," was recommitted to the committee on insurance, with power to report complete.

The bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Mattoon	Nichols	Stanford	
Cauldwell	Hale	Morris	Norton	Thayer	
Edwards	Kennedy	Murphy	Parker	Van Petten	
Genet					16

## FOR THE NEGATIVE.

Campbell	Crowley	Folger	Morgan	Williams	5
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Mr. Murphy moved to reconsider the vote just taken, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Creamer offered the following resolution:

*Resolved*, That the committee on internal affairs of towns and counties be discharged from the further consideration of Assembly bill, No. 758, entitled "An act to amend an act to regulate the sale of intoxicating liquors within the Metropolitan Police district," and that the bill be committed to the committee of the whole.

Mr. O'Donnell moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion of Mr. O'Donnell, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Kennedy	O'Donnell	Thayer	
Chapman	Hale	Morgan	Palmer	Van Petten	
Crowley	Humphrey	Nicks	Parker	Williams	15

## FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

Mr. O'Donnell moved to postpone the consideration of said resolution indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Campbell	Folger	Morgan	Palmer	Van Petten	
Chapman	Humphrey	Nicks	Parker	Williams	
Crowley	Kennedy	O'Donnell	Thayer		14

## FOR THE NEGATIVE.

Banks	Creamer	Hale	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell	Graham				17

Mr. O'Donnell moved to postpone the consideration of the resolution for one week.

Mr. Van Petten moved to lay the question on the table. Digitized by Google

The President put the question whether the Senate would agree to said motion to lay on the table, when the vote was as follows:

## FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	Palmer	Thayer	
Chapman	Humphrey	Nicks	Parker	Van Petten	
Crowley	Kennedy	O'Donnell	Stanford	Williams	
Folger					16

## FOR THE NEGATIVE.

Banks	Creamer	Graham	Morris	Norton	
Beach	Edwards	Hubbard	Murphy	Pierce	
Bradley	Genet	Mattoon	Nichols	Tweed	
Cauldwell					16

There being a tie vote, the President voted in the affirmative, and decided the motion carried.

The hour of 2 o'clock having arrived, the Senate took a recess until 4 o'clock P. M.

## FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Mattoon moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	O'Donnell	Van Petten	4
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## FOR THE NEGATIVE.

Campbell	Genet	Mattoon	Nicks	Thayer	
Cauldwell	Hale	Morgan	Parker	Williams	
Folger	Humphrey	Murphy			18

Mr. Van Petten, from the committee on internal affairs of towns and counties, to which was recommended the Assembly bill entitled "An act to authorize the drainage of marsh land," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act making appropriation for certain expenses of government, and for supplying deficiencies in former appropriations," with a message that they had agreed to the report of the committee of conference so far as said committee have agreed, and consent to a new committee of conference on the matters in difference relative to steam boilers, and have appointed as such committee on the part of the Assembly, Messrs. Prince, J. L. Flagg, Bentley, Bradstreet and Younglove.

The bill entitled "An act to incorporate the People's Safe Deposit Company of the State of New York," having been announced for a third reading,

Mr. Kennedy moved to recommit the same to the committee on the judiciary, with instructions to strike out the word "Syracuse" and insert "Troy."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Murphy, from the committee on the judiciary, reported back said bill, and moved that it again be recommitted, with instructions to strike out "Syracuse" and insert "outside of New York and Brooklyn."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Murphy reported back said bill as directed, and it was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nichols	Thayer
Bradley	Genet	Morgan	Nicks	Tweed
Cauldwell	Graham	Morris	Palmer	Williams
Creamer	Humphrey	Murphy	Stanford	

19

## FOR THE NEGATIVE.

Campbell	Hale	O'Donnell	Parker	Van Petten
Folger	Kennedy			

V

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Stanford, from the committee of conference upon the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1868," submitted a report, as follows:

*To the Senate:*

The committee of conference of the two Houses, to whom was referred the matter of disagreement between them on the bill entitled "An act making appropriations to pay expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1868," having met in conference, have agreed upon the following amendment to said bill: In line 17, on page 2, insert, "For the salaries, compensation and clerk hire of the superintendents of repairs of the canals that have been or shall be appointed in pursuance of law, the sum of thirty-two thousand dollars, or so much thereof as may be necessary."

CHARLES STANFORD,  
GEO. N. KENNEDY,  
A. P. NICHOLS,  
*Senate Committee.*

WM. C. BENTLEY,  
H. B. HOWARD,  
HIRAM EATON,  
RICHARD FLACK,  
M. C. MURPHY,  
*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hale	Murphy	Palmer
Bradley	Genet	Kennedy	Nichols	Stanford
Cauldwell	Graham	Morris	Norton	Tweed
Creamer				

16

## FOR THE NEGATIVE.

Campbell	Humphrey	Nicks	Parker	Van Petten
Chapman	Mattoon	O'Donnell	Thayer	Williams
Folger	Morgan			

12

Mr. Stanford moved to reconsider said vote, and that that motion be laid on the table.



The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Bradley, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman moved that the Senate go into committee of the whole upon the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848."

Mr. Morris moved to include in the same committee of the whole the Assembly bill entitled "An act to provide for submitting the amended Constitution to the electors of the State."

Mr. Stanford moved to include the bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system."

Mr. O'Donnell moved to lay the motion upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Morgan	O'Donnell	Van Petten	
Graham	Mattoon	Nicks	Parker		9

FOR THE NEGATIVE.

Banks	Chapman	Folger	Morris	Stanford	
Beach	Creamer	Hale	Nichols	Tweed	
Cauldwell	Edwards	Humphrey			18

Mr. Morgan moved that the Senate take a recess until 7½ o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nicks	Parker	Van Petten	
Hale	Mattoon	O'Donnell	Thayer	Williams	
Humphrey	Morgan	Palmer			18

FOR THE NEGATIVE.

Beach	Chapman	Folger	Morris	Norton	
Bradley	Creamer	Genet	Murphy	Stanford	
Cauldwell	Edwards	Graham	Nichols	Tweed	16

The President then put the question whether the Senate would agree to the amendment offered by Mr. Stanford, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Folger	Murphy	Stanford	
Bradley	Creamer	Hale	Nichols	Tweed	
Cauldwell	Edwards	Morris	Norton	Williams	16

FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Palmer	Thayer	
Humphrey	Morgan	O'Donnell	Parker	Van Petten	
Kennedy					11

The President then put the question whether the Senate would agree to the amendment offered by Mr. Morris, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Murphy	Palmer
Bradley	Edwards	Humphrey	Nichols	Stanford
Cauldwell	Folger	Morris	Norton	Tweed
Chapman	Graham			

17

## FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Parker	Van Petten
Kennedy	Morgan	O'Donnell	Thayer	Williams

10

The question being upon the resolution, as amended, Mr. Parker called for a division.

The President put the question whether the Senate would agree to the motion of Mr. Chapman, relative to the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Thayer
Bradley	Folger	Kennedy	O'Donnell	Van Petten
Campbell	Graham	Mattoon	Parker	Williams
Chapman	Hale			

17

## FOR THE NEGATIVE.

Cauldwell	Morgan	Nichols	Norton	Stanford
Creamer	Morris	Nicks	Palmer	Tweed

10

The President then put the question whether the Senate would agree to the motion of Mr. Morris, relative to the Assembly bill entitled "An act to provide for submitting the amended Constitution to the electors of the State," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Morris	Norton
Cauldwell	Edwards	Graham	Murphy	Tweed
Chapman	Folger	Hale	Nichols	

14

## FOR THE NEGATIVE.

Campbell	Mattoon	O'Donnell	Stanford	Van Petten
Humphrey	Morgan	Palmer	Thayer	Williams
Kennedy	Nicks	Parker		

18

The President then put the question whether the Senate would agree to the motion of Mr. Stanford, relative to the bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Murphy	Stanford
Bradley	Edwards	Hale	Nichols	Tweed
Cauldwell	Folger	Morris	Norton	Williams
Chapman				

16

## FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Palmer	Thayer
Humphrey	Morgan	O'Donnell	Parker	Van Petten
Kennedy				

11

Mr. O'Donnell called from the table the resolution from the Assembly, in the words following:

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Bradley, from the committee on insurance, to which was recommended the Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed April 19, 1867," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

Mr. Chapman moved that the Senate go into committee of the whole upon the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848."

Mr. Morris moved to include in the same committee of the whole the Assembly bill entitled "An act to provide for submitting the amended Constitution to the electors of the State."

Mr. Stanford moved to include the bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system."

Mr. O'Donnell moved to lay the motion upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Morgan	O'Donnell	Van Petten	
Graham	Mattoon	Nicks	Parker		9

FOR THE NEGATIVE.

Banks	Chapman	Folger	Morris	Stanford	
Beach	Creamer	Hale	Nichols	Tweed	
Cauldwell	Edwards	Humphrey			18

Mr. Morgan moved that the Senate take a recess until 7½ o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Kennedy	Nicks	Parker	Van Petten	
Hale	Mattoon	O'Donnell	Thayer	Williams	
Humphrey	Morgan	Palmer			18

FOR THE NEGATIVE.

Beach	Chapman	Folger	Morris	Norton	
Bradley	Creamer	Genet	Murphy	Stanford	
Cauldwell	Edwards	Graham	Nichols	Tweed	15

The President then put the question whether the Senate would agree to the amendment offered by Mr. Stanford, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Chapman	Folger	Murphy	Stanford	
Bradley	Creamer	Hale	Nichols	Tweed	
Cauldwell	Edwards	Morris	Norton	Williams	15

FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Palmer	Thayer	
Humphrey	Morgan	O'Donnell	Parker	Van Petten	
Kennedy					11

The President then put the question whether the Senate would agree to the amendment offered by Mr. Morris, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Hale	Murphy	Palmer
Bradley	Edwards	Humphrey	Nichols	Stanford
Cauldwell	Folger	Morris	Norton	Tweed
Chapman	Graham			

17

## FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Parker	Van Petten
Kennedy	Morgan	O'Donnell	Thayer	Williams

10

The question being upon the resolution, as amended, Mr. Parker called for a division.

The President put the question whether the Senate would agree to the motion of Mr. Chapman, relative to the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Murphy	Thayer
Bradley	Folger	Kennedy	O'Donnell	Van Petten
Campbell	Graham	Mattoon	Parker	Williams
Chapman	Hale			

17

## FOR THE NEGATIVE.

Cauldwell	Morgan	Nichols	Norton	Stanford
Creamer	Morris	Nicks	Palmer	Tweed

10

The President then put the question whether the Senate would agree to the motion of Mr. Morris, relative to the Assembly bill entitled "An act to provide for submitting the amended Constitution to the electors of the State," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Genet	Morris	Norton
Cauldwell	Edwards	Graham	Murphy	Tweed
Chapman	Folger	Hale	Nichols	

14

## FOR THE NEGATIVE.

Campbell	Mattoon	O'Donnell	Stanford	Van Petten
Humphrey	Morgan	Palmer	Thayer	Williams
Kennedy	Nicks	Parker		

18

The President then put the question whether the Senate would agree to the motion of Mr. Stanford, relative to the bill entitled "An act to abolish the contracting system for repairs on the canals, and to restore the superintendent system," and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Beach	Creamer	Graham	Murphy	Stanford
Bradley	Edwards	Hale	Nichols	Tweed
Cauldwell	Folger	Morris	Norton	Williams
Chapman				

16

## FOR THE NEGATIVE.

Campbell	Mattoon	Nicks	Palmer	Thayer
Humphrey	Morgan	O'Donnell	Parker	Van Petten
Kennedy				

11

Mr. O'Donnell called from the table the resolution from the Assembly, in the words following:

*Resolved*, (if the Senate concur,) That this House adjourn *sine die*, on Saturday, May 2, 1868, at 2 o'clock P. M.

Mr. O'Donnell moved to amend by striking out "House" and inserting "Legislature." Also, strike out "Saturday, May 2, at 2 o'clock P. M.," and insert "Tuesday, at 10 o'clock P. M."

Mr. Palmer moved to lay the question upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly sent for concurrence, the bill entitled as follows:

"An act to confirm and make valid a certain resolution of the electors of the election district of the town of De Peyster, adopted February 11, 1868," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Parker and by unanimous consent, said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Hale	Mattoon	Norton	Stanford
Bradley	Hubbard	Morgan	O'Donnell	Thayer
Campbell	Humphrey	Murphy	Palmer	Tweed
Cauldwell	Kennedy	Nicks	Parker	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorizing the West Station Methodist Episcopal Church of the city of Albany, to change its name to the Trinity Methodist Episcopal Church of Albany, and to confirm the title to the property thereof in the Trinity Methodist Episcopal Church," reported in favor of the passage of the same.

On motion of Mr. Folger and by unanimous consent, the rules were suspended, and said bill recommitted to the committee, with power to report complete.

Mr. Palmer, from the committee on banks, to which was referred the Assembly bill entitled "An act relating to savings banks," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Palmer, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to enable the Saint Jean Baptist French Church of the city of Troy to reorganize," reported in favor of the passage of the same.

On motion of Mr. Thayer, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Beach	Edwards	Morgan	Norton	Stanford
Bradley	Graham	Morris	O'Donnell	Thayer
Campbell	Hale	Nichols	Palmer	Tweed
Cauldwell	Hubbard	Nicks	Parker	Van Petten
Chapman	Mattoon			

22

## FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the drainage of marsh land," having been announced for a third reading,

Mr. Williams moved to lay said bill upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed April 19, 1867," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative. a majority of all the members elected to the Senate voting in favor thereof.

## FOR THE AFFIRMATIVE.

Beach	Edwards	Hubbard	Norton	Stanford
Bradley	Folger	Humphrey	O'Donnell	Thayer
Cauldwell	Graham	Kennedy	Palmer	Van Petten
Chapman	Hale	Morgan	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly returned the bill entitled "An act making provision for the government of the county of New York," with a message in the words following:

*Resolved*, That the House non-concur in the following amendments of the Senate: Striking out the words "copying public documents, county clerk's office, ten thousand dollars," in line 4, page 2, engrossed bill.

Striking out in lines 31 and following pages 2 and 3, engrossed bill, the words following:

"Salaries, judiciary, five hundred and eighty thousand four hundred and eighty-eight dollars and five cents, which sum shall include the increase of salaries as provided and adopted this year by the several resolutions of the board of supervisors of the city and county of New York, making such increase to the several justices and judges of the civil and criminal courts therein, and also to each of the subordinate officers of said courts named in the said resolutions, which resolutions and the various resolutions of the board of supervisors, creating offices and officers since the first day of January, one thousand eight hundred and sixty-eight, are hereby legalized; and also including the sum of six thousand dollars each for the salaries of the clerks of the superior court and the court of common pleas, and two thousand dollars for the salary of the naturalization clerk in the superior court, which several salaries are hereby fixed at said amounts annually, from the first day of January, one thousand eight hundred and sixty-eight."

The words "five hundred and eighty thousand four hundred and eighty dollars and five cents," and substituting therefor the words "four hundred and seventy-one thousand and thirteen dollars and five cents." And in striking out all of the paragraph following, in relation to salaries, judiciary.

In striking out the following, beginning at line 31, pages 3 and 4, engrossed bill, and ending line —, to wit:

"The costs, disbursements and counsel fees, incurred during the tax commissioners' controversy in the matter of the People on the relation of the Attorney General *versus* J. M. Raymond and Ira O. Miller, the further sum of five thousand five hundred dollars to be paid to Henry H. Anderson, and seven thousand five hundred dollars to Ira O. Miller and J. M. Raymond, and to be paid by the comptroller on vouchers filed.

"The counsel fees, costs and legal disbursements, incurred by the board of county canvassers and by William Joice, and the late supervisor, Joseph B. Taylor, in the matter of the litigation between those parties touching the rights to seats in the board of supervisors, fifteen thousand dollars, which sum, or so much thereof as may be necessary, the comptroller is hereby authorized and directed to adjust and pay to Abraham R. Lawrence, Jr., John McKeon, and the other attorneys and counsellors interested therein.

"For such amount as shall be reported by Charles O'Connor, Henry E. Davies and Samuel J. Tilden, to the board of supervisors, to be due to Nelson S. Waterbury, for services rendered by him as district attorney, for which he is entitled to compensation, over and above the amounts received by him, and for disbursements by him while holding said office, and for services rendered and expenses incurred by him in connection with criminal prosecutions since he ceased to hold said office, which amount, upon the confirmation of such report by the board of supervisors, the comptroller of the city and county of New York is hereby authorized and directed to pay."

In striking out the following, beginning at line 24, page 4, engrossed bill, and ending line 10, page 5, engrossed bill, to wit:

"To A. Oakey Hall, in full for his bill and subsisting claim of counsel fees for legal services rendered the boards of coroners and police justices of the city of New York, for the six years ending December thirty-first, eighteen hundred and sixty-seven, the sum of twelve thousand dollars, being at the rate of one thousand dollars per year for each branch of said legal services, and to be paid him by the comptroller of the city of New York; but from and after the first day of January, A. D., eighteen hundred and sixty-eight, the district attorney of the county of New York shall receive, and the board of supervisors shall so designate, a yearly compensation equal to the allowances and salaries fixed by statutes and ordinances for the incumbent of the office of counsel for the corporation of the city of New York, and which yearly compensation shall be in lieu of all fees and costs arising out of suits upon forfeited recognizances, and in lieu of any claim for legal services hereafter to be rendered by said district attorney to the board aforesaid. And from and after the first day of January, A. D., eighteen hundred and sixty-eight, the assistant district attorneys shall receive, and the board of supervisors shall so designate, a yearly salary equal to the salary designated by said board to the city judge."

And in substituting therefor the following: "From and after the first day of January, A. D., 1868, the district attorney of the city of New York shall receive twelve thousand dollars per annum in full for his services as such district attorney, and from and after the first day of January, A. D., 1868, there shall be but three assistant district attorneys for said county, who shall each receive a yearly salary of five thousand dollars, and no more."

In striking out in line 21 to 24, page 5, engrossed bill, the following words:

"For the payment of the claim of Elizabeth M. Auld, one thousand five hundred dollars for services rendered by her late husband, J. B.

Auld, in the mayor's office, to be paid on the resolution of the board of supervisors."

In striking out on line 25 and following lines, pages 6 and 7, engrossed bill, the following words:

"§ 2. Whenever the comptroller shall have reason to believe that any judgments now of record, or which may be hereafter obtained against the county of New York, shall have been obtained by collusion or founded in fraud, he is hereby authorized and required to take all proper and necessary measures to open and reverse the same, and to use the name of the said county and to employ counsel for such purpose, and whenever any legal or equitable claim is put into suit against the said county after it has been duly audited by the board of supervisors, the said comptroller is authorized in order to save expense of litigation and interest arising on said claims, to adjust the same, and when adjusted to duly provide for its payment, and on payment to obtain and file full releases and acquittances from claimants.

"§ 3. No judgment against the county of New York shall be valid unless it shall be proved that the claim on which the action is brought has been presented to the board of supervisors of said county, and passed on by them, or that they have unreasonably refused or omitted to take action on the same. Before any execution shall be issued on any such judgment, notice of the recovery thereof shall be given to the comptroller, and he shall be allowed ten days to provide for its payment."

In adding section, additional number three, Senate amendments beginning as follows:

"The said several sums shall be applied, &c."

And concur in all of the other amendments of the Senate.

By order,

C. W. ARMSTRONG, *Clerk.*

Mr. Kennedy moved that the Senate insist upon its amendments, and ask for a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. Kennedy, Parker and Genet, were appointed as such committee on the part of the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have asked for a committee of conference.

The Assembly returned the bill entitled "An act making provision for the government of the city of New York," with a message, in the words following:

*Resolved*, That the House non-concur in the following amendments of the Senate:

After the word "Comptroller" on page 1, line 19, on engrossed bill:

"The mayor and comptroller of the city of New York are hereby directed to select four daily and three weekly newspapers published in the city of New York, as papers wherein the proceedings of the common council or of either branch thereof, and the notices of its committees shall be published, and shall communicate to the common council and to the clerk of each board thereof, the names of titles of the papers which he has selected as official papers. And no proceedings of the common council or of either branch thereof, or notices of its committees shall be officially published in any other paper or papers. And hereafter the said corporation shall not be liable for any debt incurred for advertising in contravention of this provision, and no person or corporation other than the proprietors of such selected papers shall be entitled to receive any money from or recover any judgment against the mayor, alderman and



commonalty of the city of New York for publishing or advertising the proceedings of the common council or of either branch thereof, or notices of its committees."

In striking out the words "cleaning markets, thirty-five thousand dollars," and substituting therefor the words "cleaning markets, twenty-five thousand dollars," in line 31, page 1, engrossed bill.

In adding on line 22, page 3, engrossed bill, the words, "and the Board of Commissioners of the Central Park are hereby authorized to include in the estimate which said board is now authorized to make for moneys required for the maintenance and government of the said park, such further sums, not exceeding fifty thousand dollars annually, as said board may require for that purpose."

In striking out on line 16, page 5, engrossed bill, the words, "For the Blind Mechanics' Association, six thousand dollars."

In striking out on line 8, page 7, engrossed bill, the words, "For the New York Female Assistance Society, five thousand dollars."

In striking out on line 24, page 8, engrossed bill, the words, "For the grading and regulating Hamilton square in the city of New York, thirty thousand dollars." "House of the Good Shepherd for the erection of a building on their own premises at the foot of Eighty-ninth street, East river, fifty thousand dollars."

In striking out the words "printing for the common council, one hundred thousand dollars," on line 25, page 9, engrossed bill, and inserting in lieu thereof the words, "printing for the common council, sixty thousand dollars."

In striking out on lines 14, 15 and 16, page 10, engrossed bill, the following:

"Roads and avenues, sprinkling, twenty thousand dollars, to be expended by the street commissioner in the employment of suitable persons therefor."

In altering the following paragraph on lines 17, 18, 19, 20 and 21, page 10, engrossed bill:

"Streets, repaving and repairing, one hundred and thirty-five thousand dollars, the contract or agreement therefor to be made under such stipulations, and with such person or persons as the street commissioners shall decide to be for the best interests of the city."

In striking out all after the word "dollars" on line 18, page 10, engrossed bill, and inserting instead the words, "the work to be done by contract or agreement, as provided by law, under the direction of the street department, and no contract to be made in excess of the sum herein authorized."

In striking out on lines 22 to 29, page 10, engrossed bill, after the words "salaries, legislative department," the following words:

"Additional compensation to the members of the board of aldermen, making the annual salaries of the members thereof, respectively, three thousand five hundred dollars; also seven thousand five hundred dollars annual salary of the clerk of the common council; five thousand dollars annual salary of his deputy, and twelve hundred dollars annual salary of the assistant librarian of the city, and altering the succeeding sum from \$211,450 to \$133,800."

In striking out on lines 20 to 24, page 11, engrossed bill, the following words:

"Also the further sum of forty thousand dollars, being five thousand to each of the police justices, for extra services in holding court on Sundays, from 1864 to 1868, both years inclusive."

In altering on line 26, page 11, engrossed bill, the item "sewers repairing and cleaning," from "\$60,000" to "\$104,000."

In altering on line 32, page 11, engrossed bill, the item "water pipes and laying," from "\$300,000" to "\$448,470."

In striking out on lines 24 to 28, page 12, engrossed bill, the following:

"For paving Tompkins square, set apart for a military parade ground, with the Fisk concrete or other suitable pavement, so as to make the same available for parade purposes, the sum of sixty thousand dollars, to be expended by or under the direction of the street department."

In striking out on lines 34 and 35, page 12, engrossed bill, the words, "For the purchase of an offal depot for the city of New York, by the comptroller of said city, not exceeding \$100,000."

In striking out on lines 5, 6 and 7, page 13, engrossed bill, the words, "and the salary of each commissioner for duties imposed by recent legislation is hereby increased, \$2,500."

In striking out on lines 8 to 14, page 13, engrossed bill, the following words:

"For counsel fees, costs and disbursements, in the action brought by the Attorney-General to determine the title of the claimants to the office of councilmen, \$15,000, which sum, or so much thereof as may be necessary, the comptroller is hereby authorized and directed to adjust and pay to Waldo Hutchins and John K. Porter, and the other attorneys and counsel therein interested."

In striking out on lines 29 to 34, page 13, engrossed bill, the following:

"To William W. Burnham, for services rendered in connection with sales of real estate under direction of the commissioners of the sinking fund, as recommended by said commissioners, in resolution passed December 31st, 1867, \$1,000."

In striking out on line 35, page 13, and lines 1 to 16, page 14, engrossed bill, the following:

"To the proprietors of the New York Leader, for arrearages due for advertising, \$11,209.46; also to the proprietors of the New York World, for arrearages due for advertising, \$15,131.44; also to the proprietors of the New York Commercial Advertiser, for arrearages due for advertising, \$17,350.50; also to the Tribune association, for arrearages due for advertising, \$8,760.24; also to the proprietors of the New York Dispatch, for arrearages due for advertising, \$9,790.04; also to the proprietors of the New York Citizen, for arrearages due for advertising, \$4,886; said claims to be paid when audited and allowed by the comptroller."

In striking out on lines 10 to 17, page 15, engrossed bill, the following:

"To J. G. & I. Edge, for display of fire-works, July 4th, 1866, this sum having been omitted through clerical error, in allowances made to said Edge, in tax levy for 1867, \$11,283.33, to be paid when audited and allowed by the comptroller."

In striking out section 6, as follows:

"§ 6. The commissioners of the sinking fund are hereby authorized to lease to the directors of the Mount Sinai Hospital, such lots north of Sixty-sixth street, belonging to said city, as may be necessary for the erection of a public hospital, upon such conditions and for such term of years and annual rent, as leases have heretofore been made by the municipal authorities to charitable institutions."

In adding in section 9, the words, "mayor and" wherever they occur, and adding the words "they are" on line 4, page 21, engrossed bill.

In striking out in section 10, the words on lines 18, 19 and 20, page 21, engrossed bill, and of section 3 of chapter 240 of the Laws of 1861.

In adding the additional section, which reads as follows:

"The said several sums shall be applied only and so forth." (See section 8 of Senate amendments.)

And concur in all the other amendments made by the Senate.

By order.

C. W. ARMSTRONG, *Clerk*.

Mr. Palmer moved that the Senate insist upon its amendments, and ask for a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. Crowley, Palmer and Norton, were appointed as such committee on the part of the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have asked for a committee of conference.

Mr. Mattoon offered the following resolution:

*Resolved*, That during the recess of the Senate, the Clerk be directed and empowered to take some measures to procure a better ventilation of the Senate chamber.

Mr. Parker moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Palmer, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act authorizing the West Station Methodist Episcopal Church of the city of Albany to change its name to the Trinity Methodist Episcopal Church of Albany, and to confirm the title to the property thereof in the Trinity Methodist Episcopal Church of the city of Albany," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

On motion of Mr. Banks, and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morgan	Stanford	
Beach	Edwards	Humphrey	Morris	Thayer	
Bradley	Genet	Kennedy	Nichols	Van Petten	
Campbell	Graham	Mattoon	O'Donnell		19

FOR THE NEGATIVE.

Folger

1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Tweed moved to take from the table the Assembly bill entitled "An act to provide for the drainage of marsh land."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Kennedy	Nicks	Pierce
Beach	Genet	Mattoon	Norton	Thayer
Campbell	Hubbard	Morgan	O'Donnell	Tweed
Cauldwell	Humphrey	Morris	Parker	Van Petten
Creamer				

21

## FOR THE NEGATIVE.

Chapman	Hale	Nichols	Palmer	Williams
Folger				

6

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Beach moved to take from the table the resolution from the Assembly, in the words following:

*Resolved* (if the Senate concur), That this House adjourn on Saturday, the 2d day of May, 1868, at 2 o'clock P. M.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to amend by striking out "Saturday, May 2," and inserting "Tuesday, May 5, 10 P. M.," and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Humphrey	Morris	Parker
Bradley	Folger	Kennedy	Murphy	Pierce
Campbell	Genet	Mattoon	Norton	Tweed
Cauldwell	Hale	Morgan	O'Donnell	Van Petten
Crowley				

21

## FOR THE NEGATIVE.

Beach	Palmer	Stanford	Thayer	Williams
Nichols				

6

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Murphy moved to take from the table the motion to reconsider the vote on the bill entitled "An act to repeal article 1, title 19, chapter 20, part 1 of the Revised Statutes, relative to regulations concerning brokers."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Kennedy	Nichols	Stanford
Beach	Graham	Mattoon	Palmer	Thayer
Bradley	Hale	Morris	Parker	Tweed
Campbell	Humphrey	Murphy	Pierce	Van Petten
Cauldwell				

21

## FOR THE NEGATIVE.

Folger	Williams
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Beach	Graham	Morris	Norton	Stanford
Bradley	Hale	Murphy	Parker	Thayer
Cauldwell	Humphrey	Nichols	Pierce	Tweed
Creamer	Kennedy			

17

**FOR THE NEGATIVE.**

Folger	Williams	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President presented the following communication:

*To the President of the Senate :*

DEAR SIR—Circumstances render it necessary that I should ask to be relieved from further service on the committee of investigation, of which the Hon. Mr. Hale is chairman.

Most respectfully yours,

LEWIS A. EDWARDS.

The President put the question whether the Senate would grant said request, and it was decided in the affirmative.

The President appointed Mr. Nichols as a member of said committee, in place of Mr. Edwards, excused.

Mr. Stanford moved to take from the table the motion to reconsider the vote disagreeing to the report of the conference committee upon the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals, for the fiscal year commencing on the first day of October, 1868."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

**FOR THE AFFIRMATIVE.**

Banks	Creamer	Humphrey	Murphy	Parker
Beach	Edwards	Kennedy	Nichols	Stanford
Bradley	Graham	Mattoon	Norton	Tweed
Campbell	Hale	Morris	O'Donnell	Van Petten
Cauldwell				

21

**FOR THE NEGATIVE.**

Morgan	Palmer	Williams	3
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The President then put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

**FOR THE AFFIRMATIVE.**

Banks	Cauldwell	Hale	Murphy	Stanford
Beach	Creamer	Kennedy	Nichols	Tweed
Bradley	Edwards	Mattoon	Norton	Van Petten
Campbell	Graham	Morris		

## FOR THE NEGATIVE.

Morgan O'Donnell Palmer Parker Williams 5

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the report of the committee of conference.

On motion of Mr. Beach, the Senate took a recess until 8 o'clock P. M.

## EIGHT O'CLOCK, P. M.

The Senate again met.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act to amend the act entitled 'An act to lay out, open and grade Second and Fourth avenues, in the town of New Utrecht,' passed April 11, 1868."

"An act to amend the law of proceedings against the Grand Trunk Railway Company of Canada, a foreign corporation, in courts of law."

"An act for the relief of the towns of Little Falls, Manheim and Danube, Herkimer county, in relation to the bridge at Fink's basin."

"An act to authorize the Attorney-General to institute suits for the purpose of annulling certain contracts entered into by the State for the repairs of the canals."

The Assembly returned the Assembly bill entitled "An act making appropriations for certain public and charitable institutions," with a message that they had non-concurred in the amendments made thereto by the Senate and request a committee of conference, and had appointed on their part as such committee, Messrs. Jacobs, Bergen, Furman, J. L. Flagg and Wells.

Mr. O'Donnell moved that a committee of conference be appointed on the part of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. O'Donnell, Morgan and Bradley.

On motion of Mr. Murphy and by unanimous consent, the Assembly bill entitled "An act to regulate the rates of toll on the roads and bridge of the Williamsburgh and Bushwick North Road Turnpike and Bridge Company," was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Humphrey	Murphy	Stanford
Bradley	Edwards	Mattoon	Nichols	Thayer
Campbell	Hale	Morgan	Norton	Tweed
Cauldwell	Hubbard	Morris	Palmer	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the resolution providing for furnishing each member of the Legislature with one copy of each of the volumes of jour-

nal, documents and debates of the Constitutional Convention, with a message that they had concurred in the passage thereof, with the following amendments:

Add at the end thereof the words, "Provided that the debates and documents shall not cost more than \$2.50 per volume, and the journal more than \$3.00 per volume; and also add after the word "member" the words "and officers."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in their amendments.

On motion of Mr. Norton and by unanimous consent, the bill entitled "An act for the construction and maintenance of certain piers, from the southerly side of West Thirteenth street to the northerly side of Hammond street, in the Ninth ward of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Cauldwell	Hale	Morris	Stanford	
Beach	Chapman	Hubbard	Nichols	Tweed	
Bradley	Edwards	Mattoon	Nicks	Van Petten	
Campbell	Folger	Morgan	Norton	Williams	20

FOR THE NEGATIVE.

O'Donnell

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bills entitled as follows:

"An act for the relief of Charles Weiss."

"An act to aid in the construction of the Buffalo and Washington railway."

"An act to authorize the Genesee College to change its location."

After some time spent therein, the President resumed the chair, and Mr. Tweed, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to and said bills ordered to a third reading.

Mr. Tweed, from the same committee, reported progress on the last named bill and asked leave to sit again.

Mr. Kennedy moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Mattoon	Nicks	Pierce	
Chapman	Hubbard	Nichols	O'Donnell	Van Petten	
Creamer	Kennedy				12

FOR THE NEGATIVE.

Beach	Cauldwell	Graham	Morgan	Stanford	
Bradley	Edwards	Humphrey	Morris	Thayer	10

*Ordered*, That said bill be read a third time.

Mr. Folger, from the conference committee, submitted the following:

*To the Senate and Assembly:*

The committee on conference upon the difference between the Senate and Assembly upon the bill entitled "An act making appropriations for the expenses of Government, and for supplying deficiencies in former appropriations," report, that the said committee have considered the same and have agreed to substitute for the amendment of the Senate thereto, to which the Assembly failed to agree, the following:

So much of section 10 of chapter 969 of the Laws of 1867, entitled "An act in relation to the inspection of steam-boilers in the State of New York, except in the Metropolitan police district," passed 22d of June, 1867, as reads as follows: "And it is further provided, that every owner or owners of a steam-boiler or boilers shall cause to be attached thereto a low-water indicator, to be of such construction as to be approved by the inspector-in-chief. In case the owner or owners of any such boiler or boilers shall fail to attach or cause to be attached said low-water indicator, he or they shall be liable to a penalty of five hundred dollars, to be sued for and recovered in the same manner as the penalty imposed by the third section of this act," is hereby suspended in its effect and made inoperative for the term of one year from the passage of this act.

CHARLES J. FOLGER,

FRANCIS S. THAYER,

JAMES F. PIERCE,

*Senate Committee.*

ALPHEUS PRINCE,

WM. C. BENTLEY,

N. C. BRADSTREET,

JOHN L. FLAGG,

T. G. YOUNGLOVE,

*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Creamer	Hubbard	Morris	Thayer
Bradley	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Nicks	Van Petten
Cauldwell	Graham	Mattoon	Stanford	Williams
Chapman	Hale	Morgan		

28

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee.

Mr. Morgan, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act for the construction and maintenance of certain piers, from the southerly side of West Thirteenth street to the northerly side of Hammond street, in the Ninth ward of the city of New York."

The Assembly returned the bill entitled "An act to amend and consolidate the several acts relating to preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867," with a message informing that they had passed the same, with the following amendments:

In section 10, line 3, strike out the word "the," and insert the article "a." Strike out of line three, the word "of," and insert the words "not exceeding."

Insert sections 22, 23, 24, 25 and 27, and change section 23 to 26, as follows:

§ 22. Nothing in this act contained shall apply to fish caught, or the taking of fish in the waters of Lake Ontario, or any of its bays or estua-



ries, within the counties of Oswego, Jefferson and St. Lawrence, nor to the catching of fish in any way in the St. Lawrence river.

§ 23. The provisions of this chapter shall not be deemed to apply to, or affect the taking of fish in Oneida lake, at a distance of one mile beyond the shores thereof.

§ 24. It shall be lawful to use or draw for the taking of fish of any kind whatever, any seine or net in Kennyette or Fondasbush creek, in the county of Fulton, or in the Sacandaga Vlaie, or in any part thereof in said county, above the covered bridge near the village of Fish House, commonly known as the Vlaie creek bridge, or in any of the streams emptying into said Vlaie.

§ 25. Any person violating the provisions of the preceding section, shall upon conviction thereof, be deemed guilty of a misdemeanor, and also liable to a penalty of twenty-five dollars, which may be recovered in the manner prescribed in section twenty of said chapter eight hundred and ninety-eight, hereby amended.

§ 27. This act shall take effect immediately.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Edwards	Humphrey	Nichols	Thayer
Campbell	Folger	Mattoon	Nicks	Tweed
Cauldwell	Graham	Morgan	Pierce	Van Petten
Chapman	Hale	Morris	Stanford	Williams
Creamer	Hubbard			

22

*Ordered*, That the clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to aid in the construction of the New York Northern railroad, and to facilitate the improvement of the wilderness through which it is projected," with a message informing that they had non-concurred in the amendments of the Senate thereto.

Mr. Stanford moved that the Senate recede from its amendment to said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

FOR THE AFFIRMATIVE.

Beach	Folger	Humphrey	Nicks	Thayer
Bradley	Graham	Mattoon	Pierce	Tweed
Cauldwell	Hale	Morgan	Stanford	Van Petten
Creamer	Hubbard			

17

FOR THE NEGATIVE.

Campbell	Edwards	Nichols	O'Donnell	Williams
Chapman	Morris			

7

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate recede from their amendments.

Mr. Nichols moved that the Assembly bill entitled "An act for the relief of Charles Weiss," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a

majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Creamer	Hale	Morris	Stanford
Campbell	Edwards	Hubbard	Nichols	Tweed
Cauldwell	Folger	Mattoon	Nicks	Van Petten
Chapman	Graham	Morgan	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Nichols moved that the Assembly bill entitled "An act to aid in the construction of the Buffalo and Washington railway," be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Mattoon	Nicks	Tweed
Cauldwell	Hubbard	Morris	Pierce	Van Petten
Creamer	Humphrey	Nichols	Thayer	

14

## FOR THE NEGATIVE.

Campbell	Edwards	Hale	O'Donnell	Williams
Chapman	Folger	Morgan	Stanford	

9

Mr. Nichols moved to reconsider the vote just taken, and that that motion lay on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Hale, from a majority of the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Put's Point Trotting Park Association, in the town of Crown Point, Essex county," reported in favor of the passage of the same.

On motion of Mr. Hale, and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Bradley	Graham	Mattoon	Nichols	Tweed
Campbell	Hale	Morgan	Stanford	Van Petten
Cauldwell	Hubbard	Morris	Thayer	Williams
Edwards	Humphrey			

17

## FOR THE NEGATIVE.

O'Donnell	
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1

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of New York, and for the public defence,' passed April 23, 1862, designated as

the Military Code of the State of New York," with a message informing that they had concurred in the report of the committee of conference thereon.

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act to amend chapter 280, section 78, Laws of 1847, relating to a reporter for the Supreme Court," with a message informing that they had passed the same, as amended by the Senate.

*Ordered*, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bill, with a message that they had passed the same, without amendment:

"An act for the disposition of the surplus moneys arising upon sales, pursuant to part 3, chapter 8, title 15 of the Revised Statutes, entitled 'Of the foreclosure of mortgages by advertisement.'"

"An act to authorize the discharge of mortgages to Commissioners of United States Deposit Fund."

"An act to authorize the Erie and New England Railroad Company to establish and maintain a steamboat ferry on the Hudson river, at some point between Stoney Point and Fort Montgomery, on said river."

"An act to authorize the trustees of the Lowville First Presbyterian Church to sell certain real estate."

"An act to authorize the town of Crawford, in the county of Orange, to issue bonds and take stock in the Middletown and Crawford Railroad Company."

"An act to provide for the election and appointment of a police constable in the village of Forestville."

"An act for the relief of James D. Shuler, conferring jurisdiction on the Canal Appraisers to hear and determine his claim for compensation for lands appropriated to the enlargement of the Erie canal."

"An act to authorize the board of supervisors of Kings county to include in the next tax levy the sum of fifty thousand dollars, to reimburse the amount borrowed for the support of the poor."

"An act to amend an act entitled 'An act to authorize the formation of corporations to secure parsonages and other property for the use of presiding elders of the Methodist Episcopal Church,' passed April 5, 1867."

"An act supplementary to an act entitled 'An act to incorporate the East India Telegraph Company,' passed April 3, 1864."

"An act to extend the time for the organization of the Albany Iron Manufacturing Company."

"An act to amend the acts to provide for the incorporation of religious societies, so far as the same relates to churches in connection with the Protestant Episcopal Church."

"An act for the construction and maintenance of certain piers, from the southerly side of West Thirteenth street, to the northerly side of Hammond street, in the Ninth ward of the city of New York."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to provide for a supply of water in the city of Buffalo."

"An act to release the interest of the people of the State of New York to the widow and the heirs of William Harlan, deceased, and to enable them to take, hold and dispose of certain real estate."

"An act to authorize the construction of a free bridge over the Seneca river, in the towns of Mentz and Conquest, in Cayuga county."

"An act to amend section 31 of chapter 873 of the Laws of 1866,

passed May 4, 1866, and section 32 of chapter 939, passed May 17, 1867, relating to buildings and the keeping and storage of combustible materials in the city of New York."

"An act relative to immigrants and other passengers arriving at or departing from the port of New York."

"An act to authorize Maria T. Levere, an alien, to hold and convey real estate, and to confirm conveyances heretofore made."

"An act to incorporate the Hamburg Driving Park Association."

"An act declaring certain lands not exempt from taxation and providing for the payment of the taxes due thereon from the years 1863 to 1868 inclusive."

"An act confirming a conveyance of real estate to Bridget Henry, and authorizing her to hold real estate."

"An act to provide for widening the Coney Island plankroad, in the county of Kings, and for the subsequent management thereof."

"An act to amend an act entitled 'An act to incorporate the city of Lockport,' passed April 11, 1865, and the act amendatory thereof, passed April 12, 1866."

"An act to incorporate the National Burglar Insurance Company of the city of New York."

"An act to release certain escheated lands to Margaret Zachariassen."

"An act to amend subdivision 2 of section 5, and sections 8 and 19 of chapter 364 of Laws of 1864, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children at the city of Buffalo.'"

"An act in relation to the printing contract entered into for printing at Sing Sing, with James B. Swain and Francis B. Fisher."

"An act to provide for the construction of an iron bridge over the Cayuga and Seneca canal, in the village of Seneca Falls."

"An act to incorporate the Rhinebeck and Rondout Ice Bridge and Passenger Company."

"An act to amend the charter of the National Savings Bank of Buffalo."

"An act to regulate the sale of coal."

"An act to provide for the transmission of letters, packages and merchandise in the cities of New York and Brooklyn, and across the North and East rivers, by means of pneumatic tubes, to be constructed beneath the surface of the streets and public places in said cities, and under the waters of said rivers."

"An act to regulate the rates of toll on the road and bridge of the Williamsburgh and Bushwick North Road, Turnpike and Bridge Company."

"An act to incorporate the Bowling Green Savings Bank of the city of New York."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the bills entitled as follows:

"An act for laying out, opening and closing of streets, roads and avenues in the town of Morrisania, in the county of Westchester."

"An act to incorporate the West Side Savings Bank, to be located in the city of New York."

"An act to incorporate the East New York Savings Bank."

"An act to incorporate the Isthmus Canal Company."

"An act to consolidate a part of certain school districts in the town of Pomfret, county of Chautauqua, with district No. 8 of said town."

"An act to incorporate the United States Contracting Company."

*Ordered*, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act supplementary to chapter 489 of Laws of 1867, and to provide for the collection and application of revenue in the county of New York, in certain cases," with a message that they have receded from the amendments made thereto by the Assembly.

*Ordered*, That the Clerk deliver said bill to the Governor.

The assembly returned the following entitled Assembly bills:

"An act to make provision for the government of the county of New York."

"An act to make provision for the government of the city of New York."

With a message that they had consented to a committee of conference, and had appointed on their part as such committee, Messrs. Frear, Trainer, Murphy, Jones and Bristol.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of general orders, being the Assembly bill entitled as follows:

"An act to incorporate the city of Rome."

After some time spent therein, the President resumed the chair, and Mr. Hubbard, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Parker moved that said bill be recommitted to the committee on municipal affairs, with instructions to strike out the enacting clause."

Mr. Morgan moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion to adjourn, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Nicks	Parker	Van Petten	
Folger	Morgan	O'Donnell	Thayer	Williams	10

FOR THE NEGATIVE.

Banks	Creamer	Hubbard	Murphy	Stanford	
Beach	Edwards	Mattoon	Nichols	Tweed	
Cauldwell	Graham	Morris	Pierce		14

Mr. O'Donnell moved to postpone the further consideration of said question until a quarter before 12 o'clock to-morrow.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Campbell	Hale	Morgan	O'Donnell	Thayer	
Edwards	Humphrey	Nicks	Parker	Williams	10

FOR THE NEGATIVE.

Banks	Chapman	Hubbard	Murphy	Stanford	
Beach	Creamer	Mattoon	Nichols	Tweed	
Bradley	Graham	Morris	Pierce	Van Petten	
Cauldwell					16

The question being upon the motion of Mr. Parker,

Mr. Morgan moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate adjourned.

WEDNESDAY, MAY 6, 1868.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Tweed moved that the Senate take a recess until 10½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate took a recess until 10 o'clock, A. M.

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HALF-PAST TEN O'CLOCK, A. M.

The Senate again met.

The Assembly returned the bill entitled "An act in relation to the surveying and mapping of parts of the towns of Geddes, Onondaga and Salina, and of parts of the city of Syracuse, and also in relation to a system of sewerage in and for said city," with a message that they had passed the same, with the following amendments:

Amend title as follows, and make it read:

"An act in relation to a system of sewerage in and for the city of Syracuse."

Strike out in first section of engrossed bill, the words "and Elizur Clark, of the town of Salina, William H. H. Gere, of the town of Geddes, and Charles A. Barber, of the town of Onondaga."

Also strike out in 12th line of same section of engrossed bill, the words "or town."

Also add at the end of 1st section, the following:

"The said commissioners shall receive the sum of three dollars per day, for not more than one hundred days in both years, in addition to all charges and expenses for making the said maps, plans, surveys, monuments, profiles and notes, and for the hire of surveyors and assistants necessary for the performance of the duties required under the provisions of this act, and for office rent and other necessary expenses of the said commissioners, if any; and they shall have power to employ such persons, as clerk or otherwise, to carry out the provisions of this act, as they may find necessary; and the money or moneys required for the purposes aforesaid, shall be paid to the said commissioners by the treasurer of the said city of Syracuse, in the first instance, on the warrant of the chairman and clerk of the said board of commissioners."

Strike out sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

Also make section 22 section 2, and amend the same so as to read as follows:

§ 2. It shall be the duty of the said commissioners to establish a system of sewerage in and for said city. And for this purpose they shall cause all necessary surveys to be made, and lands taken, and shall determine the location, grade, size and depth in the ground of all sewers which may become necessary within the present limits of said city, for the perfect drainage of the same.

Also make section 23 section 3, as follows:

§ 3. They shall cause such system of sewerage to be fully and accurately delineated upon a map of said city, which shall show all that is required by the last section, and which, with such notes and explanations as they shall deem necessary, and with their certificate authenticating the same, shall be filed with the clerk of said city; and a copy of the same with the clerk of the county of Onondaga for safe keeping.

Also make section 24 section 4, and amend that section so as to read as follows:

§ 4. All moneys required to defray the expenses incurred, under this act, shall be paid to the said commissioners in the manner provided by the first section of this act; and the common council shall have power to borrow the money, if necessary, to defray the expenses incurred.

Also make section 25 section 5, and change the word "confirm" in third line of said section to "conform."

§ 5. After such system of sewerage shall be established, and such map shall be filed as aforesaid, all sewers constructed in said city, by or under the authority of the city, shall conform in all things to such system, except the mayor and common council, may, in their discretion order them to be built larger.

Make section 26 section 6, and section 27 section 7.

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Campbell	Folger	Mattoon	Palmer	Tweed
Cauldwell	Graham	Morris	Parker	Van Petten
Chapman				

21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

On motion of Mr. Graham, and by unanimous consent, the rules were suspended, and the committee of the whole were discharged from the further consideration of Assembly bill, No. 515, entitled "An act relative to savings banks," and the same was ordered to a third reading.

Said bill having been announced for third reading,

On motion of Mr. Folger, and by unanimous consent, said bill was amended by striking out in section 1, line 6, the word "town."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Morris	Stanford
Beach	Edwards	Humphrey	Nichols	Tweed
Campbell	Folger	Kennedy	Parker	Van Petten
Cauldwell	Graham	Mattoon	Pierce	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Palmer, from the committee on banks, to which was recommitted the Assembly bill entitled "An act to incorporate the New Amsterdam Savings Bank of the city of New York," with power to report complete,

reported the same complete, with amendments, which report was agreed to and said bill ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Chapman	Hale	Nichols	Stanford
Beach	Creamer	Humphrey	Nicks	Tweed
Campbell	Edwards	Kennedy	Palmer	Van Petten
Cauldwell	Graham	Mattoon	Parker	Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Creamer, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act to legalize and render valid the official and corporate acts of the North Western Dispensary in the city of New York," and the same was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nicks	Stanford
Campbell	Edwards	Mattoon	Palmer	Thayer
Cauldwell	Folger	Morris	Parker	Van Petten
Chapman	Hale	Nichols	Pierce	

19

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Crowley submitted the following report:

*To the Senate and Assembly:*

The committee of conference to whom was referred the differences between the Senate and Assembly on the bill entitled "An act to make provision for the government of the city of New York," have come to the following conclusion, and recommend that the Assembly concur with the following amendments:

After the word "comptroller," on page 1, line 19, in engrossed bill: "The mayor and comptroller of the city of New York are hereby directed to select four daily and three weekly newspapers published in the city of New York as papers wherein the proceedings of the common council, or of either branch thereof, and the notices of its committees shall be published; and shall communicate to the common council and to the clerk of each board thereof the names of titles of the papers which they have selected as official papers. And no proceedings of the common council, or of either branch thereof, or notices of its committees shall be officially published in any other paper or papers. And hereafter the said corporation shall not be liable for any debt incurred for advertising in contravention of this provision; and no person or corporation other than the proprietors of such selected papers shall be entitled to receive any money from or recover any judgment against the mayor, aldermen and commonalty of the city of New York for publishing or advertising the



proceedings of the common council, or of either board thereof, or notices of its committees." And add to the end thereof the following words: "But nothing in this act contained shall be construed to impair or affect any claim for advertising heretofore acquired under the provisions and authority of existing laws, when such claim has been duly certified and audited."

That the Senate recede in its amendment striking out the words "cleaning markets, thirty-five thousand dollars," on line 31, page 1, engrossed bill, and insert the words "cleaning markets, thirty thousand dollars."

That the House concur in Senate's amendment on line 22, page 3, engrossed bill, by inserting the words following: "And the board of commissioners of the Central Park is hereby authorized to include in the estimate which said board is now authorized to make for moneys required for the maintenance and government of the said Park, such further sum not exceeding fifty thousand dollars annually, as said board may require for that purpose."

That the Senate recede on Senate's amendment in striking out on line 16, page 5, engrossed bill, the words "For the Blind Mechanics' Association, six thousand dollars."

That the Senate recede on Senate's amendment in striking out on line 3, page 7, engrossed bill, the words:

"For the New York Female' Assistance Society, five thousand dollars."

That the Assembly concur, on line 24, page 8, engrossed bill, and strike out the words "For the grading and regulating Hamilton-square, in the city of New York, thirty thousand dollars."

That the Senate recede on Senate's amendment in striking out fifty thousand dollars for "House of the Good Shepherd, for the erection of a building on their own premises, at the foot of Eighty-ninth street, East river," and insert the following: "House of the Good Shepherd, for the erection of a building on their own premises, at the foot of Eighty-ninth street, East river, twenty-five thousand dollars."

That the Senate recede on Senate's amendment in reducing printing for the common council to "sixty thousand dollars," and insert in lieu thereof the words "ninety thousand dollars."

That the Senate recede on Senate's amendment in striking out, on lines 14, 15 and 16, page 10, engrossed bill, the words "Roads and avenues sprinkling, twenty thousand dollars, to be expended by the street commissioner in the employment of suitable persons therefor," and insert in lieu thereof the words, "Roads and avenues sprinkling, fourteen thousand dollars, to be expended by the street commissioner in the employment of suitable persons therefor."

The Senate also recede in altering the paragraph on lines 17, 18, 19, 20 and 21, page 10, engrossed bill, and reinstate the words as follows: "Streets, repaving and repairing, one hundred and thirty-five thousand dollars, the contract or agreement therefor to be made under such stipulations and with such person or persons as the street commissioner shall decide to be for the best interests of the city."

Also recede from the following, after the word "dollars:" "The work to be done by contract or agreement, as provided by law, under the direction of the street department, and no contract to be made in excess of the sum herein authorized."

The Assembly concur on line 22, page 10 of engrossed bill, after the words "salaries, legislative department," "additional compensation to the members of the board of aldermen, making the annual salaries of the members thereof, respectively, three thousand five hundred dollars,

and twelve hundred dollars' annual salary of the assistant librarian of the city;" excepting the following: "also seven thousand five hundred dollars annual salary of the clerk of the common council, five thousand dollars annual salary of his deputy;" and altering the succeeding sum from "two hundred and eleven thousand four hundred and fifty dollars" to "one hundred and thirty-eight thousand three hundred dollars."

That the Assembly concur in the Senate amendment on lines 34 and 35, page 12, engrossed bill, in striking out the words, "For the purchase of an offal depot for the city of New York, by the comptroller of said city, not exceeding one hundred thousand dollars."

That the Senate recede from its amendment on lines 5, 6 and 7, page 13, engrossed bill, in striking out the following words: "and the salary of each commissioner, for duties imposed by recent legislation, is hereby increased two thousand five hundred dollars."

That the Senate recede from its amendment in striking out on lines 8 to 14, page 13, engrossed bill, the following words: "For counsel fees, costs and disbursements, in the action brought by the attorney-general to determine the title of claimants to the office of councilmen, fifteen thousand dollars, which sum, or so much thereof as may be necessary, the comptroller is hereby authorized and directed to adjust and pay to Waldo Hutchins and John K. Porter, and the other attorneys and counsel therein interested."

That the Senate recede from its amendment in striking out on lines 29 to 34, page 13, engrossed bill, the following words: "To William W. Burnham, for services rendered in connection with sales of real estate under direction of the commissioners of the sinking fund, as recommended by said commissioners, in resolution passed December thirty-first, eighteen hundred and sixty-seven, one thousand dollars."

That the Senate recede from its amendment in striking out on line 35, page 13, and lines 1 to 16, page 14, engrossed bill, the following words: "To the proprietors of the New York Leader, for arrearages due for advertising, eleven thousand two hundred and nine dollars and forty-six cents; also to the proprietors of the New York World, for arrearages due for advertising, fifteen thousand one hundred and thirty-one dollars and forty-four cents; also to the proprietors of the New York Commercial Advertiser, for arrearages due for advertising, seventeen thousand three hundred and fifty dollars and fifty cents; also to the Tribune Association, for arrearages due for advertising, eight thousand seven hundred and sixty dollars and twenty-four cents; also to the proprietors of the New York Dispatch, for arrearages due for advertising, nine thousand seven hundred and ninety dollars and four cents; also to the proprietors of the New York Citizen, for arrearages due for advertising, four thousand eight hundred and eighty-six dollars; said claims to be paid when audited and allowed by the comptroller."

That the Senate recede from its amendment in striking out on lines 10 to 17, page 15, engrossed bill, the following words: "To J. G. and I. Edge, for display of fireworks, July fourth, eighteen hundred and sixty-six, this sum having been omitted through clerical error, in allowances made to said Edges in tax levy for eighteen hundred and sixty-seven, eleven thousand two hundred and eighty-three dollars and thirty-three cents, to be paid when audited and allowed by the comptroller."

That the Senate recede from its amendment in striking out section 6, engrossed bill.

That the Senate recede from its amendment in striking out on lines 20 to 24, page 11, engrossed bill, the following words: "Also the further sum of forty thousand dollars, being five thousand to each of the

police justices, for extra services in holding court on Sundays, from eighteen hundred and sixty-four to eighteen hundred and sixty-eight, both years inclusive," and insert in lieu thereof the words, "Also the further sum of twenty-four thousand dollars, being three thousand to each of the police justices, for extra services in holding court on Sundays, from eighteen hundred and sixty-four to eighteen hundred and sixty-eight, both years inclusive."

That the Assembly concur in Senate's amendment on line 26, page 11, engrossed bill, by inserting the words "one hundred and four thousand dollars," in place of the words "sixty thousand dollars."

That the Assembly concur in Senate's amendment in line 32, page 11, engrossed bill, by inserting the words "four hundred and forty-eight thousand four hundred and seventy dollars," in place of the words "three hundred thousand dollars."

That the Senate recede from its amendment in striking out on lines 24 to 28, page 12, engrossed bill, the following words: "For paving Tompkins square, set apart for a military parade ground, with the Fisk concrete or other suitable pavement, so as to make the same available for parade purposes, the sum of sixty thousand dollars, to be expended by or under the direction of the street department."

The Senate recede from adding in section 9 the words "mayor and," and the words "they are," engrossed bill.

The Assembly concur in the Senate's amendment on striking out, in section 10, the words on lines 18, 19 and 20, page 21, engrossed bill, "and of section 3 of chapter 240 of the Laws of 1861."

The Assembly concur in the amendments of so much of section 8 as reads as follows:

"§ 8. The said several sums shall be applied only to the objects and purposes for which the same are hereby appropriated, except as herein otherwise provided; and neither said corporation, nor any board, department officer, or agent thereof, or head of any department, shall incur any liability or make any contract or contracts, or permit or vote for or authorize, audit or allow, directly or indirectly, any expenditure for any of the objects and purposes specified, the aggregate of which expenditure and of the liabilities under such contract shall exceed the sum appropriated for said purpose, or for any other purpose or object than that herein specified. And the common council, or any head of department of the city of New York, are hereby prohibited from creating any new office or department, or increasing the salaries of those now in office or their successors, except as provided by acts passed by the Legislature of eighteen hundred and sixty-eight."

And that the Senate recede from the remainder of said section.

All of which is respectfully submitted.

RICHARD CROWLEY,  
A. W. PALMER,  
MICHAEL NORTON,  
*Senate Committee.*

ALEX. FREAR,  
PETER TRAINER,  
WILLIAM BRISTOL,  
M. C. MURPHY,  
WM. C. JONES,

*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks  
Campbell

Edwards  
Folger

Kennedy  
Mattoon

Norton  
Parker

Thayer  
Tweed

Cauldwell  
Chapman  
Crowley

Genet  
Hale  
Humphrey

Morgan  
Morris  
Nichols

Pierce  
Stanford

Van Petten  
Williams

23

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

Mr. Kenndy submitted the following report:

*To the Senate and Assembly:*

The committee of conference appointed on the matters in difference between the Senate and Assembly on the bill entitled "An act to make provision for the government of the county of New York," respectfully report as follows:

That the Assembly concur in the Senate amendment in striking out in line 4, page 2, engrossed bill, the following words: "copying public documents, county clerk's office, ten thousand dollars."

That the Assembly concur in the Senate amendment to "salaries, judiciary," modified to read as follows: "Salaries, judiciary, five hundred and forty thousand three hundred and eighty-eight dollars, which sum includes the increase of salary as follows: To the judges of the Supreme Court, the superior court, and the court of common Pleas, each three thousand dollars; to the judges of the marine court, an increase of salary of two thousand dollars each; to the city judge, an increase of salary of three thousand five hundred dollars, and to the recorder, an increase of salary of three thousand dollars; and the salaries of the said judges above named are hereby increased as above mentioned, pursuant to the several resolutions of the board of supervisors of the city and county of New York, making such increase to the several justices and judges of the civil and criminal courts above named, which resolutions are hereby legalized; and the salaries of the clerk of the superior court and clerk of the court of common pleas are respectively increased three thousand dollars per annum, and the salary of the naturalization clerk in the superior court is hereby fixed at two thousand dollars per annum. The said several increases of salaries to take effect from January first, eighteen hundred and sixty-eight."

That the Senate recede in striking out, beginning at line 24, page 4, engrossed bill, and ending at line ten, page 5, engrossed bill, modified so as to read as follows:

"To A. Oakley Hall, in full for his bill and subsisting claim of counsel fees for legal services rendered the boards of coroners and police justices of the city of New York, for the six years ending December 31st, 1867, the sum of twelve thousand dollars, being at the rate of one thousand dollars per year for each branch of said legal services, and to be paid him by the comptroller of the city of New York; and to Orlando L. Stewart, in full for legal services as assistant district attorney, during the years 1861, 1862, 1863 and 1864, the sum of five thousand five hundred dollars, but from and after the first day of January, A. D. 1868, the district attorney of the county of New York shall receive a yearly salary of fifteen thousand dollars, which yearly compensation shall be in lieu of all fees and costs and charges whatsoever arising out of suits upon forfeited recognizances, and in lieu of any claim for legal services hereafter to be rendered by said district attorney to the board aforesaid. And from and after the first day of January, A. D. 1868, there shall be but three assistant district attorneys for said county, who shall receive a yearly salary of five thousand dollars each, and no more."

That the Senate recede from its amendment in striking out, at line 31, and following pages 3 and 4, engrossed bill, the following words:

"The costs, disbursements and counsel fees, incurred during the tax commissioners' controversy in the matter of the People on the relation of the Attorney General *versus* J. M. Raymond and Ira O. Miller, the further sum of five thousand five hundred dollars, to be paid to Henry H. Anderson, and seven thousand five hundred dollars to Ira O. Miller and J. M. Raymond, and to be paid by the comptroller on vouchers filed.

"The counsel fees, costs and legal disbursements incurred by the board of county canvassers and by William Joice, and the late supervisor, Joseph B. Taylor, in the matter of the litigation between those parties touching the rights to seats in the board of supervisors, fifteen thousand dollars, which sum, or so much thereof as may be necessary, the comptroller is hereby authorized and directed to adjust and pay to Abraham R. Lawrence, Jr., John McKeon, and the other attorneys and counsellors interested therein."

And also insert the following:

"The counsel fees, costs and legal expenses incurred by the board of county canvassers and Smith Ely, Jr., in the matter of the litigation between those parties touching the right of the said Smith Ely, Jr., to a seat in the board of supervisors, six thousand dollars, which sum, or so much thereof as may be necessary, the comptroller is hereby authorized and directed to pay to Nelson J. Waterbury and Rufus F. Andrews, and other attorneys and counsellors interested therein.

"For such amount as shall be reported by Charles O'Connor, Henry E. Davies and Samuel J. Tilden, to the board of supervisors, to be due to Nelson J. Waterbury, for services rendered by him as district attorney, for which he is entitled to compensation, over and above the amounts received by him, and for disbursements by him while holding said office, and for services rendered and expenses incurred by him in connection with criminal prosecutions since he ceased to hold said office, which amount, upon the confirmation of such report by the board of supervisors, the comptroller of the city and county of New York is hereby authorized and directed to pay."

That the Senate recede from its amendments striking out, at lines 21 to 24, page 5, engrossed bill, the following words:

"For the payment of the claim of Elizabeth M. Auld, one thousand five hundred dollars, for services rendered by her late husband, J. B. Auld, in the mayor's office, to be paid on the resolution of the board of supervisors."

That the Senate recede from its amendments striking out, beginning at line 25 and ending at line 32, page 5, engrossed bill, and insert in lieu thereof the following:

"For the payment of the claim of John B. McKean, three thousand dollars, for compiling and preparing Supreme Court general calendar for years eighteen hundred and sixty-three, eighteen hundred and sixty-four, eighteen hundred and sixty-five, eighteen hundred and sixty-six, and eighteen hundred and sixty-seven, to be paid on the audit of the board of supervisors."

That the Assembly concur in the Senate amendments striking out section 2, engrossed bill. That the Senate recede from its amendments in striking out section 3, engrossed bill, and that the same be reinstated in words modified as follows:

"§ 3. No judgment against the county of New York shall be valid unless the claim on which the action is brought has been presented to the board of supervisors of said county, and passed on by them, or they have unreasonably refused or omitted to take action on the same. Before

any execution shall be issued on any such judgment, notice of the recovery thereof shall be given to the comptroller, and he shall be allowed ten days to provide for its payment."

That the Assembly concur in so much of the Senate amendment making an additional section number three, as reads as follows:

"The said several sums shall be applied only to the objects and purposes for which the same are hereby appropriated, except as herein otherwise provided, and neither the board of supervisors of said county nor any officer, agent or member thereof, or head of department, shall incur any liability, or make any contract or contracts, or permit, or vote for, or authorize, audit or allow, directly or indirectly, any expenditures for any of the objects and purposes specified, the aggregate of which expenditures and of the liabilities under such contracts, shall exceed the sum appropriated for said purpose, or for any other purpose or object than that herein specified. And the board of supervisors of the county of New York are hereby prohibited from creating any new office or department, or increasing the salaries of those now in office, or their successors."

And the Senate recede from the remainder of said section number 3.

All of which is respectfully submitted.

GEO. N. KENNEDY,

A. X. PARKER,

H. W. GENET,

*Senate Committee.*

ALEX. FREAR,

PETER TRAINER,

W. C. JONES,

WM. BBISTOL,

M. C. MURPHY,

*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Crowley	Hale	Nichols	Thayer
Beach	Edwards	Humphrey	Norton	Tweed
Campbell	Folger	Kennedy	Parker	Van Petten
Cauldwell	Genet	Mattoon	Pierce	Williams
Creamer	Graham	Morris	Stanford	24

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly sent for concurrence the bill entitled "An act relating to buildings in the city of Albany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Banks, and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Banks	Creamer	Hale	Nichols	Pierce
Beach	Edwards	Humphrey	Nicks	Stanford
Campbell	Folger	Mattoon	Norton	Van Petten
Cauldwell	Graham	Morris	Parker	Williams
				20

*Ordered,* That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bill entitled "An act for the relief of the Coney Island and Brooklyn Railroad Company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Murphy, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Folger	Mattoon	Nicks	Stanford
Campbell	Graham	Morris	Norton	Thayer
Cauldwell	Hale	Murphy	Parker	Van Petten
Creamer	Humphrey	Nichols	Pierce	Williams
Edwards				21

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly sent for concurrence the bill entitled "An act to amend the charter of the city of Utica," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Campbell, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Edwards	Mattoon	Nicks	Stanford
Beach	Folger	Morris	Norton	Thayer
Campbell	Genet	Murphy	Parker	Tweed
Cauldwell	Graham	Nichols	Pierce	Van Petten
Crowley	Humphrey			22

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Beach, and by unanimous consent, the committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act to facilitate the construction of the Newburgh and Wallkill Valley railroad," and the same was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Norton	Thayer
Beach	Genet	Mattoon	Pierce	Tweed
Campbell	Graham	Morris	Stanford	Van Petten
Cauldwell	Hale	Nichols		18

## FOR THE NEGATIVE.

Crowley	Folger	Kennedy	Nicks	Parker	5
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendments.

Mr. Nichols moved to take from the table the motion to reconsider the vote on the final passage of the Assembly bill entitled "An act to aid in the construction of the Buffalo and Washington railway."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Morris	Norton	Thayer	
Beach	Folger	Murphy	Parker	Tweed	
Cauldwell	Graham	Nichols	Pierce	Van Petten	
Creamer	Mattoon	Nicks	Stanford		19

## FOR THE NEGATIVE.

Campbell	Edwards	Hale			8
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Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Nicks	Thayer	
Beach	Graham	Morris	Norton	Tweed	
Cauldwell	Hale	Murphy	Pierce	Van Petten	
Creamer	Humphrey	Nichols			18

## FOR THE NEGATIVE.

Campbell	Edwards	Palmer	Parker	Stanford	
Crowley	Folger				7

*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hale moved to take from the table the veto of the Governor upon the bill entitled "An act to aid in the construction of the Whitehall and Plattsburgh railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hale moved to reconsider the vote by which the Senate refused to pass the bill, notwithstanding the objections of the Governor.

The Chair decided that said vote having been once reconsidered, the motion was not in order.

Mr. Hale appealed from the decision of the Chair.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Beach	Edwards	Morris	Nichols	Parker	
Campbell	Kennedy	Murphy	Nicks	Williams	
Chapman					11

## FOR THE NEGATIVE.

Banks	Folger	Mattoon	Stanford	Tweed	
Cauldwell	Hale	Norton	Thayer	Van Petten	
Creamer	Humphrey				12

The President then put the question whether the Senate would agree to said motion of Mr. Hale to reconsider, and it was decided in the affirmative, as follows:



## FOR THE AFFIRMATIVE.

Banks	Genet	Mattoon	Norton	Thayer
Cauldwell	Graham	Morris	Pierce	Tweed
Chapman	Hale	Nichols	Stanford	Van Petten
Creamer	Kennedy			

17

## FOR THE NEGATIVE.

Beach	Crowley	Folger	Nicks	Parker
Campbell	Edwards	Humphrey	Palmer	Williams

10

The President then put the question "Shall this bill pass, notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the members present not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Mattoon	Nichols	Thayer
Bradley	Genet	Morgan	Norton	Tweed
Cauldwell	Graham	Morris	Pierce	Van Petten
Chapman	Hale	Murphy	Stanford	

19

## FOR THE NEGATIVE.

Beach	Edwards	Kennedy	O'Donnell	Parker
Campbell	Folger	Nicks	Palmer	Williams
Crowley	Humphrey			

12

Mr. Folger moved that the Senate take a recess for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Crowley	Graham	Murphy	Pierce
Beach	Edwards	Hale	Nichols	Stanford
Cauldwell	Folger	Mattoon	Norton	Tweed
Creamer	Genet	Morris	Parker	Van Petten

20

## FOR THE NEGATIVE.

Campbell	Humphrey	Morgan	Palmer	Williams
Chapman	Kennedy	Nicks	Thayer	

9

Whereupon the Senate took a recess until 40 minutes past 12 o'clock, P. M.

## FORTY MINUTES PAST TWELVE O'CLOCK.

The Senate again met.

Mr. Folger moved that the Senate take a further recess for ten minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate took a recess until 50 minutes past 12 o'clock, P. M.

## FIFTY MINUTES PAST TWELVE O'CLOCK.

The Senate again met.

Mr. Banks moved that the Senate take a recess for five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Nicks	Tweed
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## FOR THE NEGATIVE.

Creamer	Hale	Nichols	Palmer	Thayer	
Folger	Kennedy	Norton	Stanford	Van Petten	
Graham	Murphy				12

Mr. Graham moved that the Senate resolve itself into a committee of the whole on the Assembly bill entitled "An act to incorporate the Cornwall Suspension Bridge Company, for the purpose of constructing and maintaining a suspension bridge, appurtenances and approaches to the same, over the Hudson river, at a point or points at or below Butter Hill, in the highlands, to some proper point opposite thereto on the east side of said river."

Mr. Mattoon moved to lay said motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Nicks	Thayer	Tweed	
Cauldwell	Mattoon				7

## FOR THE NEGATIVE.

Chapman	Morris	Nichols	Palmer	Stanford	
Graham	Murphy	Norton	Parker	Van Petten	
Hale					11

Mr. O'Donnell submitted the following report:

*To the Senate and Assembly:*

The conference committee to which was referred the points of difference on the bill entitled "An act making appropriations for certain public and charitable institutions," report that they have considered the same, and agreed to recommend the following amendments to the engrossed bill:

In the item, on page 1, line 4, striking out the word "fifty" and inserting the word "eighty" the Assembly concur.

Same section, line 8, after the word "equalization" insert the words "of assessments," Assembly concur.

Page 4, striking out the words as follows:

"For the Masonic Asylum, at Havana, \$1,000.

"For the Jane Gray School, at Mount Morris, \$3,000.

"For the Day Home, \$5,000.

"For the Female Seminary, at Gainesville, \$1,000.

"For the Ingham University, at Le Roy, \$4,000.

"For the Evangelical Lutheran St. John's Orphan Home, at Buffalo, \$2,000.

"For the St. Mary's Boy's Orphan Asylum, in Rochester, \$5,000.

"For the St. Vincent's Orphan Asylum, in Albany, \$10,000.

Assembly concur in all excepting "Day Home, at Troy," "Masonic Asylum, at Havana," "St. John's Lutheran Home, at Buffalo."

St. Mary's Orphan Asylum, at Rochester, was amended so as to read "one thousand dollars;" St. Vincent's Orphan Asylum, at Albany, "three thousand dollars;" Troy Catholic Male Orphan Asylum, "six thousand five hundred dollars."

Striking out item as follows: "but including the Women's Hospital, the Mount Sinai Hospital, the Homœopathic Infirmary for Women, the New York Infirmary for Indigent Women and Children, the Hospital of the Poor of St. Francis, the Ladies' Relief Association, at Elmira, for the Soldier's Home, the Brooklyn Hospital, the Long Island College Hos-

pital, the Troy Hospital, the Marshall Infirmary, the Albany Hospital, the Rochester City Hospital, the St. Mary's Hospital at Rochester, the Buffalo General Hospital, the St. Mary's Lying-in Women's and Founding Hospital at Buffalo, the Buffalo Hospital of the Sisters of Charity," Assembly concur.

In item, "to hospital," Assembly concur with Senate in striking out the word "forty," and inserting the words "fifty-five."

In item, to New York Ophthalmic Hospital, amended to read "two thousand five hundred dollars."

In item, inserting the words "of New York," after the word "Dispensary," Assembly concur with Senate.

In the item striking out the words "requiring Dispensary to report," on page 6, lines 34 and 35, Assembly concur with Senate.

In item, for Rochester City Hospital, Senate recede.

In item, for St. Mary's Lying-in Women's Hospital at Buffalo, Assembly concur.

Assembly concur with Senate in inserting after line 6, page 6, the words "for the Buffalo General Hospital, five thousand dollars."

In striking out the item for the Society for Protection of Destitute Roman Catholic Children at Buffalo, on page 6, lines 27 and 28, Assembly concur.

In item, for Troy Hospital, page 7, line 1, Senate recede.

Pages 7 and 8, in striking out the following items:

"For the Church of St. Mary's, in the city of New York, to aid in the maintenance of the schools under its charge, five thousand dollars.

"For the Church of St. Bridget in the city of New York, to aid in the maintenance of the schools under its charge, five thousand dollars.

"For the Church of St. Vincent Ferrer in the city of New York, to aid in the maintenance of the schools under its charge, one thousand dollars.

"For the Church of the Transfiguration in the city of New York, to aid in the maintenance of the schools under its charge, five thousand dollars.

"For the Church of the Immaculate Conception in the city of New York, to aid in the maintenance of the schools under its charge, five thousand dollars.

"For the Church of St. Patrick in the city of New York, to aid in the maintenance of the schools under its charge, five thousand dollars.

"For the school of the Church of Our Lady of the Angels, in Brooklyn, to aid in the maintenance of the schools under its charge, three thousand dollars.

"For the Church of St. Joseph, in Brooklyn, to aid in the maintenance of the schools under its charge, two thousand five hundred dollars.

"For the Sisters of Mercy, in Brooklyn, to aid in the maintenance of the free schools under their charge, five thousand dollars.

"For the St. Patrick's school, in Newburgh, two thousand dollars.

"For the B'nai Berith school, in Albany, three thousand dollars.

"For the St. Joseph's reformatory and free school, in Syracuse, three thousand dollars.

"For the Church of St. Peter's, of New York, for the maintenance of the schools under its charge, three thousand dollars.

"For the St. Lawrence school, in the city of New York, five thousand dollars.

"For the Church of St. James, in the city of New York, to aid in the maintenance of the schools under its charge, three thousand dollars.

"For the Church of St. Paul, in the city of New York, to aid in the maintenance of the schools under its charge, two thousand five hundred dollars.

"For the Church of St. Joseph, in the city of New York, to aid in the maintenance of the schools under its charge, one thousand dollars.

"For the Church of St. Stephen, in the city of New York, to aid in the maintenance of the schools under its charge, two thousand dollars.

"For the Church of St. Peter's, in Troy, to aid in the maintenance of the schools under its charge, one thousand dollars.

"For the Church of St. Gabriel, in the city of New York, to aid in the maintenance of the schools under its charge, three thousand dollars.

"For the Church of St. Michael, in the city of New York, to aid in the maintenance of the schools under its charge, three thousand dollars.

"For the Church of St. Nicholas, in the city of New York, to aid in the maintenance of the schools under its charge, two thousand dollars.

"For the Church of St. Peter, in the village of Rome, to aid in the maintenance of schools under its charge, one thousand dollars.

"For the Church of St. Theresa, in the city of New York, to aid in the maintenance of the schools under its charge, three thousand dollars."

Assembly concur with the Senate in striking out.

In the item for the Union Home and school for the orphan children of our volunteers, it is agreed it shall read as follows:

"For the Union Home and school for the orphan children of our volunteers, the sum of fifty dollars per head (not to exceed ten thousand dollars) for each orphan maintained by it, or in that proportion for the time such orphan is maintained; and the amount received by it under this appropriation is hereby declared to be a lien in favor of the State upon the real estate owned by it."

It is further agreed that the following item shall read as follows:

"To the New York Ladies' Educational Union, five thousand dollars." (Patriot Orphan Home), "the sum of five thousand dollars, which sum, if received, is hereby declared to be a lien upon the real estate owned by it."

It is further agreed that the following item shall read as follows:

"For the Colored Orphan Asylum of the city of New York, twenty-five thousand dollars, to be paid out of the Metropolitan excise fund."

Also the following item:

"For the Ladies' Benevolent Society of the city of Schenectady, five hundred dollars, for the education and maintenance of indigent children under their charge, to be paid to their treasurer for the purpose aforesaid."

It is also agreed that the item on page 2, lines 12, 17 and 18, on page 3, lines 3, 15, 20 and 31, on page 4, line 1, be stricken out of the bill.

The following to be added at the end of section 2:

"For the charity week-day schools of the State, to be paid on the warrant of the Comptroller, *pro rata* according to the number of scholars instructed in them without charge during the last fiscal year, to be divided by the Comptroller on the 1st day of July next, on certificates duly verified by affidavit, fifty thousand dollars.

"Where the Comptroller has reason to believe that a false report or return has been made by any institution or school entitled to draw a share of the public moneys herein appropriated, he is hereby authorized to appoint, at the expense of the State, an agent to investigate the facts in the case, and if such report or return is found to be false in any particular, he is further authorized to modify or withhold entirely the portion to which such institution or school would have been entitled, and to divide the same among the remaining institutions."

All of which is duly submitted.

J. O'DONNELL,  
*Ch'n Senate Committee.*

JOHN JACOBS,  
JOHN L. FLAGG,  
*Assembly Committee.*

The President put the question whether the Senate would agree to the report of the conference committee, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Banks	Chapman	Mattoon	O'Donnell	Stanford
Beach	Edwards	Morris	Palmer	Thayer
Bradley	Genet	Nichols	Parker	Tweed
Campbell	Hale	Norton	Pierce	Van Petten
Cauldwell	Kennedy			

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## FOR THE NEGATIVE.

Chapman	Graham	Humphrey	Murphy	Nicks	5
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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference.

The Assembly returned the following entitled bills, with a message that they had non-concurred in the passage of the same :

"An act for the relief of Eli A. Bronson."

"An act to reimburse the Second Regiment of the National Guard for expenses and losses sustained by its members."

The Assembly returned the bill entitled "An act to incorporate the Mutual Benefit Savings Bank, in the city of New York," with a message that they had receded from the amendments made thereto by the Assembly.

*Ordered*, That the Clerk deliver said bill to the Governor.

The Assembly returned the bill entitled "An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 12, engrossed bill, after the word "than" add as follows: "The said commissioners shall include in their report, aforesaid, all claims heretofore accrued for work, labor and materials furnished which they shall deem just and equitable, on the improvement and widening of Third street, under and by virtue of the act to provide for the widening and improvement of Third street, in said city, passed April 17, 1860, and the act amendatory thereof, passed April 17, 1861; and said claim or claims, if allowed by them, shall form a part of the expenses of said improvement."

Add after the word "cost" in the 5th line of section 2, engrossed bill, as follows: "Including the sum of forty-seven thousand four hundred and ninety dollars, advanced by the first twelve, and twentieth wards of the said city, for interest on the bonds issued for the purposes of said improvement."

Add at the end of section 2, engrossed bill, the following: "The said sum of forty-seven thousand four hundred and ninety dollars, when collected, shall be credited to the said twentieth, and first twelve wards of the city of Brooklyn."

The President put the question whether the Senate would agree to concur in said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

## FOR THE AFFIRMATIVE.

Banks	Creamer	Humphrey	Nichols	Pierce
Beach	Edwards	Kennedy	Nicks	Stanford
Bradley	Folger	Mattoon	Norton	Tweed

Campbell  
CauldwellGenet  
GrahamMorris  
MurphyPalmer  
Parker

Van Petten

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*Ordered*, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Morgan, from the committee on engrossed bills, reported that they have compared the following entitled bill with the original and amendments, and find the same correctly re-engrossed:

"An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof."

The Assembly returned the following entitled bills, with a message that they had concurred in the amendments of the Senate thereto:

"An act to incorporate a seminary of education, under the name of 'The Clifton Springs Female Seminary.'"

"An act to authorize the Port Richmond and Bergen Point Ferry Company to hold real estate, to increase its capital stock, and to fix rates of ferriage, and to increase its number of directors and for other purposes."

"An act to close a portion of old Bushwick road or avenue, from Grand street to Marshall street, in the city of Brooklyn."

"An act in relation to the sale of the Marine Hospital grounds."

"An act in relation to transfer of securities deposited by insurance companies, with the superintendent of the insurance department, and to amend the act entitled 'An act to establish an insurance department,' passed April 15, 1859."

"An act to authorize the board of trustees of the village of West Troy to purchase a lot and build a house for the use of John Duffy Steam Fire Company and Tinney Hose Company."

"An act authorizing the appraisal and payment of canal damages to Patrick Buckley and Rhody Carey, caused by the water of Champlain canal, in the town of Fort Edward, Washington county."

"An act to amend an act entitled 'An act authorizing the repairing and improving of Fulton avenue, from Fulton street to Bedford avenue, in the city of Brooklyn, and of Livingston street, from Clinton street to Flatbush avenue, in the city of Brooklyn, and Hanson place from Oxford street to Flatbush avenue, and for the assessment and collection of the cost thereof,' passed May 13, 1867."

"An act to amend an act entitled 'An act to amend the act for the incorporation of insurance companies,' passed April 19, 1867."

"An act to incorporate the 'People's Safe Deposit Company of the State of New York.'"

"An act to incorporate the Industrial Savings Bank of the city of Newburgh."

"An act for the relief of Dorothea M. Palmer, wife of Henry N. Palmer, conferring jurisdiction on the canal appraisers to hear and determine her claim for compensation for lands appropriated to the enlargement of the Erie canal."

"An act to authorize towns in the counties of St. Lawrence and Franklin, to issue bonds and take stock in any company that shall be legally organized within five years after the passage of this act, for the purpose of building a railroad from Potsdam Junction, St. Lawrence county, northeasterly through or into both of said counties, to some point on the province line."

"An act to divide the Ninth ward, and to create a new ward in the city of Brooklyn."

"An act to authorize the towns of Mayfield and Northampton, in the county of Fulton, and the towns of Hope, Benson, Wells and Lake Pleas-

ant, in the county of Hamilton, to issue bonds and subscribe and take, for said towns, capital stock in the Gloversville, Mayfield and Northville Railroad Company."

"An act to enable incorporated rural cemeteries to acquire title to lands where the owner or owners are unwilling to sell, or where the company cannot agree upon the value thereof."

"An act declaring certain lands not exempt from taxation, and providing for the payment of the taxes due thereon from the years 1863 to 1868, inclusive."

"An act for the relief of James Gallagher."

"An act to legalize the acts of Francis Hamilton, a notary public."

"An act to incorporate the New Amsterdam Savings Bank of the city of New York."

"An act for the relief of Patterson Freeman, assignee of John White."

"An act relative to savings banks."

"An act to authorize the boards of supervisors of the counties of Oswego and Onondaga, to raise money to complete the payments for the construction of a bridge across the Oneida river, known as Schroepel's bridge."

"An act to incorporate the Milton Ferry Company."

"An act to alter the commissioners' map of the city of Brooklyn, and to provide for the improving of and widening of Middle street, in said city, and changing the name of the same."

"An act to incorporate 'The St. Francis Monastery' of the city of Brooklyn."

*Ordered*, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills, with a message that they had passed the same, without amendment:

"An act authorizing the placing of an obstruction at the intersection of Big Ditch with the Wallkill river."

"An act to incorporate the People's Mutual Warehousing and Security Company."

"An act to change the boundaries of the First and Second wards of the city of Albany, and to define and establish the boundaries thereof."

"An act in relation to mortgages executed by railroad companies."

"An act to confirm the title of the Excelsior Fire Insurance Company to certain real estate in the city of Brooklyn."

"An act to prevent encroachments upon grave-yards."

"An act to authorize the supervisor of the town of Lowville, Lewis county, to purchase burial lots."

"An act to provide for the appointment of an additional inspector and measurer of lumber and timber, and of boats and their cargoes, at Oswego."

"An act authorizing the Syracuse, Fayetteville and Manlius Railroad Company to transfer all its rights, franchises and property to the Syracuse and Chenango Valley Railroad Company."

"An act to provide a manual for the mayor, aldermen and commonalty of the city of New York, and to defray the expense thereof."

"An act to incorporate the International Dock Company."

"An act to amend an act entitled 'An act to encourage and facilitate the construction of a railroad along the valley of the Upper Hudson, into the wilderness in the northern part of this State, and the development of the resources thereof,' passed April 27, 1863, and for the relief of the Adirondack Company formed under said act."

"An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fresh water fish, passed May 13, 1867."

"An act in relation to a system of sewerage in and for the city of Syracuse."

"An act to authorize Lewis Runyon to establish and maintain a ferry across the Seneca lake, at Lodi Landing."

"An act to provide for the completion of the improvement of Third street, in the city of Brooklyn, and for the collection of the expense thereof."

*Ordered*, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received and read, in the words following:

IN ASSEMBLY, May 6, 1868.

*Resolved*, (if the Senate concur,) That the Legislature adjourn *sine die*, at 2½ o'clock P. M., this day.

By order.

C. W. ARMSTRONG, Clerk.

By unanimous consent, the rules were suspended and said resolution ordered considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Kennedy moved that the Senate take a recess until 2:25 o'clock, P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Whereupon the Senate took a recess until 2:25 o'clock, P. M.

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#### TWENTY-FIVE MINUTES PAST TWO O'CLOCK, P. M.

The Senate again met.

Mr. Folger offered the following resolution:

*Resolved*, That a committee of two be appointed to wait upon His Excellency the Governor, and inform him that the Senate has completed its business, and is now ready to adjourn.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Folger and Tweed.

Mr. Palmer offered the following resolution:

*Resolved*, That Messrs. Bradley and Stanford, be appointed a committee to wait upon the Assembly and inform them that the Senate has completed its business, and is now ready to adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Folger, from the committee appointed to wait upon His Excellency the Governor, reported that they had discharged that duty, and that His Excellency was pleased to inform them that he had no further communication to make.

Mr. Bradley, from the committee appointed to wait upon the Honorable the Assembly, reported that they had performed that duty.

The hour of 2:30 having arrived, the President rose and addressed the Senate.

Whereupon the Senate adjourned *sine die*.

JAMES TERWILLIGER, Clerk.





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